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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

Territory of Kansas,

AT THE FIRST SESSION OF THE FIRST TERRITORIAL LEGISLATIVE ASSEMBLY,
BEGUN AND HELD AT THE TOWN OF PAWNEE, ON MONDAY, THE 2D
DAY OF JULY, IN THE YEAR OF OUR LORD ONE THOUSAND
EIGHT HUNDRED AND FIFTY-FIVE.

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JOURNAL.

At the first session of the first Territorial Legislative Assembly, begu and held at the town of Pawnee, on Monday, the 2d day of July, in the yea of our Lord one thousand eight hundred and fifty-five.

MONDAY, July 2d, 1855.

The Honorable Daniel Woodson, Secretary of the Territory, called the names of the members holding certificates of election, when the following gentlemen presented their certificates:

From the 1st Representative District—Alexander S. Johnson.
From the 2d Representative District—John Hutchison, Erastus D. Ladd.
From the 3d Representative District—Augustus Wattles, William Jessee.
From the 5th Representative District—A. J. Baker.
From the 6th Representative District—Joseph C. Anderson, S. A. Williams.
From the 7th Representative District—W. A. Hieskill, Allen Wilkinson, Henry Younger, Samuel Scott.
From the 8th Representative District—S. D. Houston.
From the 9th Representative District—Franklin J. Marshall.
From the 10th Representative District—Wm. H. Tebbs.
From the 11th Representative District—John H. Stringfellow, R. L. Kirk.
From the 12th Representative District—Joel P. Blair, Thomas W. Waterson.
From the 13th Representative District—H. B. C. Harris, J. Weddle.
From the 14th Representative District—William G. Mathias, Archy Payne, I. D. McMeekin.

On motion of Mr. Marshall,
Joseph C. Anderson, of the Sixth District, was called to the Chair.
On motion of Mr. Harris,
James M. Lyle was appointed Chief Clerk, *pro tem.*
On motion of Mr. Weddle,
John Martin was appointed Assistant Clerk, *pro tem.*
On motion of Mr. Marshall,
Thomas J. B. Cramer was chosen Sergeant-at-Arms, *pro tem.*
On motion of Mr. Hieskill,
Benjamin P. Campbell was chosen Doorkeeper, *pro tem.*

The several members who had presented certificates of election were duly sworn by the Hon. Sanders W. Johnson, Associate Justice of the Supreme Court.

The deliberations of the House were opened by prayer by the Rev. M. Stateler.

On motion of Mr. Mathias,
The House proceeded to organize by the election of Speaker, Chief Clerk Sergeant-at-Arms, and Doorkeeper.

Nominations for Speaker being in order,
Mr. Mathias nominated John H. Stringfellow, from the Eleventh District.
The vote being taken, there appeared :—

For Mr. Stringfellow, - - - - - - -	18 votes.
For John Hutchison, - - - - - - -	2 "
For Joseph C. Anderson, - - - - -	1 "
For Cyrus K. Holliday, - - - - - -	1 "

The members voting for Mr. Stringfellow were—
Messrs. Anderson, Baker,
Blair, Harris,
Hieskill, Johnson,
Kirk, Marshall,
Mathias, McMeekin,
Payne, Scott,
Tebbs, Williams,
Waterson, Weddle,
Wilkinson, Younger—18.

The members voting for Mr. Hutchinson were—
Messrs. Houston, Jessee—2.

For Mr. Anderson—Mr. Stringfellow—1.

For Mr. Holliday—Mr. Wattles—1.

Mr. Stringfellow having received a majority of all the votes cast, was declared duly elected Speaker.
On motion,
Mr. Harris was appointed a committee of one to conduct the Speaker to the Chair.
The Speaker took the oath of office required, and entered immediately upon the discharge of his duties.
Nominations for Chief Clerk being in order,
Mr. Mathias nominated James M. Lyle.

Mr. Wattles nominated R. G. Elliott.

The vote being taken there appeared—

For James M. Lyle,	19 votes.
For R. G. Elliott,	4 "

The members for Mr. Lyle were—
Messrs. Anderson, Baker,
Blair, Harris,
Hieskill, Johnson,
Kirk, Marshall,
Mathias, McMeekin,
Payne, Scott,
Tebbs, Waterson,
Weddle, Williams,
Wilkinson, Younger,
Mr. Speaker.—19.

The members voting for Mr. Elliott were—
Messrs. Houston, Ladd,
Jessee, Wattles.—4.

Mr. Lyle having received a majority of all the votes cast was declared duly elected Chief Clerk.

Nominations for Assistant Clerk being in order,
Mr. Marshall nominated John Martin.
The vote being taken, there appeared for Mr. Martin :—
Messrs. Anderson, Baker,
Blair, Harris,
Hieskill, Johnson,
Kirk, Marshall,
Mathias, McMeekin,
Payne, Scott,
Tebbs, Waterson,
Weddle, Williams,
Wilkinson, Younger,
Mr. Speaker—19.

Mr. Martin having received all the votes cast was declared duly elected Assistant Clerk.

Nominations for Sergeant-at Arms being in order,
Mr. Harris nominated Thomas J. B. Cramer.

Mr. Jessee nominated Mr. Huttleson.

The vote being taken, there appeared :—

For Mr. Cramer,	19 votes.
For Mr. Huttleson,	4 "

The members voting for Mr. Cramer, were—
Messrs. Anderson, Baker,
Blair, Harris,
Hieskill, Johnson,
Kirk, Marshall,
Mathias, McMeekin,
Payne, Scott,
Tebbs, Waterson,
Weddle, Williams,
Wilkinson, Younger,
Mr. Speaker—19.

The members voting for Mr. Huttleson, were—
Messrs. Houston, Jessee,
Ladd, Wattles—4.

Mr. Cramer having received a majority of all the votes cast was declared ly elected Sergeant-at-Arms.

Nominations for Doorkeeper being in order,
Mr. Wilkinson nominated Benjamin P. Campbell.

The vote being taken, there appeared :—

For Mr. Campbell,	19 votes.
For Mr. Blackman,	4 "

The members voting for Mr. Campbell were—
Messrs. Anderson, Baker,
Blair, Harris,
Hieskill, Johnson,
Kirk, Marshall,
Mathias, McMeekin,
Payne, Scott,
Tebbs, Waterson,
Weddle, Wilkinson,
Williams, Younger,
Mr. Speaker—19.

The members voting for Mr. Blackman were—
Messrs. Houston, Jessee,
Ladd, Wattles,

Mr. Campbell having received a majority of all the votes cast was declared duly elected Doorkeeper.

Nominations for Speaker, *pro tem.*, being in order,

Mr. Johnson nominated Joseph C. Anderson.

The vote being taken, there appeared for Mr. Anderson:
Messrs. Baker, Blair,
Hieskill, Harris,
Johnson, Kirk,
Marshall, Mathias,
McMeekin, Payne,
Scott, Tebbs,
Waterson, Weddle,
Williams, Wilkinson,
Younger, Mr. Speaker—18.

For Mr. Johnson, Mr. Anderson—1.

Mr. Anderson having received a majority of all the votes, was declared duly elected Speaker, *pro tem.*

The Chief Clerk, Assistant Clerk, Sergeant-at-Arms and Doorkeeper were duly sworn by the Hon. Rush Ellmore, Associate Judge of the United States District Court.

Mr. Hutchison moved the appointment of a committee of three to prepare rules for the permanent organization of the House.

Mr. Mathias moved, as a substitute, that a special committee be appointed to inquire into the credentials of the members of the House.

Mr. Harris moved that the original motion be laid upon the table.

The Chair decided the motion out of order, whereupon

The vote was taken upon the substitute, and adopted.

Mr. Mathias moved the appointment of a committee of five to inquire into credentials, which was decided in the affirmative; whereupon

The Chair appointed Messrs. Mathias, Waterson. Hieskill, Houston, and Johnson.

Mr. Wilkinson offered the following resolution, which was adopted:

Resolved by the House, That the Council be now informed that the House has organized by electing John H. Stringfellow, Speaker; James M. Lyle, Chief Clerk; John Martin, Assistant Clerk; T. J. B. Cramer, Sergeant-at-Arms; B. P. Campbell, Doorkeeper, and Joseph C. Anderson, Speaker *pro tem.*; and is now ready to proceed to business.

On motion by Mr. Tebbs,
The committee on credentials were instructed to report by eight o'clock on Tuesday morning, the 3rd day of July.

Mr Hutchison moved that a committee of two be appointed by the House to act in conjunction with a similar committee appointed by the Council, to wait upon his Excellency, Gov. A. H. Reeder, and inform him that the two Houses have organized, and are ready to receive any communication which he may desire to make.

Which motion was lost.

The following message was received from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council is organized, and is now ready to proceed to business, and that the following officers have been elected:

Thomas Johnson, President,	R. R. Rees, President, *pro tem.*,
John A. Halderman, Chief Clerk,	Charles H. Grover, Assistant Clerk,
C B. Whitehead, Sergeant-at-Arms,	Wm. J. Godfroy, Doorkeeper.

Mr. Mathias offered the following resolution:

Resolved, That a committee be appointed by the Speaker to act with a committee of the same number of the Council, to wait on his Excellency, A. H. Reeder, Governor of the Territory of Kansas, and inform him that the Legislative Assembly of said Territory is now organized and ready to proceed to business, or to receive any communication which he may have to make.

On motion by Mr. Anderson,
The resolution was adopted; whereupon
The Chair appointed Messrs. Mathias and Anderson as the committee.

Mr. Waterson offered the following resolution:

Resolved, That those members who desire to contest the seats of any members of this House be required to file their protest by eight o'clock this evening.
Which was adopted.

On motion by Mr. Anderson,
The House reconsidered the last mentioned resolution; whereupon
Mr. Waterson withdrew his resolution.

The following message was received from the Council, by Mr. Grover, Assistrnt Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following resolution has been adopted:

Resolved, That a committee of two be appointed to join such committee as the House may appoint, to wait on the Governor, and inform him that the two houses of the Kansas Legislature are organized, and are now ready to proceed to business, and to receive such communications as he may deem necessary.

Mr. Anderson offered the following resolution:

Resolved, That all persons who may desire to contest the seats of any persons now holding certificates of election as members of this House may present their protests to the committee on credentials, and that notice thereof shall be given the persons holding said certificates.

Adopted.

Mr. Anderson moved the appointment of a committee of five to draft rules for the government of the House,

Which was adopted; whereupon

The Chair appointed Messrs. Anderson, Mathias, Tebbs, Marshall and Houston.

Mr. Mathias moved an adjournment until to-morrow morning at eight o'clock, which was agreed to.

TUESDAY MORNING, JULY 3, 1855.

House met pursuant to adjournment.

The journal of yesterday was read.

Mr. Wilkinson moved that the journal be corrected by changing District recorded as Seventh Representative District on journal to Fifth Representative District.

Agreed to.

Mr. Mathias, chairman of the committee on credentials, asked further time of the House to report.

Granted.

Mr. Anderson, from the committee on rules, asked further time to report. which was granted.

Mr. Mathias offered the following resolution, which was adopted:

Resolved, That no member of this House shall be permitted to speak more than once upon any motion or proposition of any character whatever before this House, and that he shall not consume more than fifteen minutes in his remarks unless he be the mover of the motion or proposition, or unless he has the especial leave of the House

[illegible]

Messrs Hutchinson, [illegible] and Ladd presented [illegible] t to the

House against any member being ousted from his seat, and denying the right of the Legislature to go behind an election ordered by the Governor, and moved that it be placed upon the journal of the House.
Which motion was lost.

Mr. Anderson, from the committee on rules for this House, made the following report:

The committee appointed to draft rules for the government of this House would recommend for the present the adoption of the rules of the House of Representatives of the United States, so far as they are applicable.

J. C. ANDERSON, *Chairman.*

On motion by Mr. Hieskill,
The report of the committee was adopted.

Mr. Wilkinson introduced the following resolution, which was adopted:

Resolved, That the Secretary of the Territory be requested to furnish to each member of this House a copy of the act of Congress establishing governments for Kansas and Nebraska, if he can conveniently procure them.

On motion by Mr. Mathias,
The House adjourned until half-past two o'clock in the evening.

EVENING SESSION.

House met pursuant to adjournment.

Mr. Houston offered the following resolution:

Resolved, That this House designate the hours of nine o'clock in the morning and half-past two o'clock in the afternoon as convenient hours to resume business generally.
Decided in the affirmative.

Mr. Marshall moved that the House now proceed to the election of Enrolling and Engrossing Clerks.
Mr. Wilkinson moved its postponement until Monday next, at the regular hour of meeting.
Lost.

Mr. Tebbs moved that we adjourn to five o'clock this afternoon, to hear the Governor's message read in the Council.
Which was agreed to.

Pursuant to adjournment, the House met again at five o'clock.

The vote being taken on the motion of Mr. Marshall, was decided in the affirmative.

The Chair announced that nominations for Engrossing Clerk would be in order.

Mr. Wilkinson moved to postpone the election of Engrossing and Enrolling Clerks till to-morrow morning.

Lost.

On motion by Mr. Mathias,

The roll was called and a quorum was present.

Mr. Anderson moved to dispense with further call of the roll, and to proceed immediately to an election.

Agreed to.

Mr. Anderson nominated Joseph M. Fox.

Mr. Kirk nominated James Christian.

Mr. McMeekin nominated Benjamin F. Simmons.

The vote being taken, stood as follows:

For Mr. Fox—Messrs. Anderson, Harris, Johnson, Marshall, Scott, Weddle, Williams, Wilkinson, and Mr. Speaker.—9.

For Mr. Christian—Messrs. Hutchinson, Kirk, Ladd, Wattles and Younger.—5.

For Mr. Simmons—Messrs. Baker, Blair, Hieskill, Mathias, McMeekin, Payne, Tebbs, and Waterson.—8.

No one having received a majority of all the votes given, the House proceeded to vote a second time, which resulted as follows:

For Mr. Fox—Messrs. Anderson, Harris, Houston, Johnson, Marshall, Mathias, Payne, Scott, Tebbs, Weddle, Williams, Wilkinson, and Mr. Speaker—13.

For Mr. Christian—Messrs. Hutchinson, Jessee, Kirk, Ladd, Wattles, and Younger—6.

For Mr. Simmons—Messrs. Blair, Heiskill, McMeekin, and Waterson—4.

Mr. Fox having received a majority of all the votes given, was declared duly elected Engrossing Clerk.

Nominations for Enrolling Clerk being in order,

Mr. Marshall nominated John C. Thompson.

Mr. Weddle nominated Benjamin F. Simmons.

Mr. Kirk nominated James Christian.

The vote being taken, resulted as follows:

For Mr. Thompson—Messrs. Anderson, Hieskill, Houston, Kirk, Marshall, Mathias, Tebbs, Williams, and Mr. Speaker—9.

For Mr. Simmons—Messrs. Baker, Blair, Harris, Johnson, McMeekin, Payne. Scott, Waterson, Weddle, Wilkinson, and Younger—11.

For Mr. Christian—Messrs. Hutchinson, Jessee, Ladd, and Wattles—4.

No one having received a majority of all the votes given, the House proceeded to vote a second time, which resulted as follows:

For Mr. Thompson—Messrs. Anderson, Hieskill, Houston, Hutchinson, Jessee, Kirk, Ladd, Marshall, Mathias, Wattles, Williams, and Mr. Speaker—12.

For Mr. Simmons—Messrs. Baker, Blair, Harris, Johnson, McMeekin, Payne, Scott, Tebbs, Waterson, Weddle, Wilkinson, and Younger—12.

No one having received a majority of all the votes given, the House proceeded to a third vote, which resulted as follows:

For Mr. Thompson—Messrs. Anderson, Hieskill, Houston, Hutchinson, Jessee, Kirk, Ladd, Marshall, Mathias, Wattles, Williams, and Mr. Speaker—12.

For Mr. Simmons—Messrs. Baker, Blair, Harris, Johnson, McMeekin, Payne, Scott, Tebbs, Waterson, Weddle, Wilkinson, and Younger—12.

No one having received a majority of all the votes given, the House proceeded to ballot a fourth time, which resulted as follows:

For Mr. Thompson—Messrs. Heiskill, Houston, Hutchison, Jessee, Kirk, Ladd, Marshall, Mathias, Wattles, Williams, and Mr. Speaker—11.

For Mr. Simmons—Messrs. Anderson, Baker, Blair, Harris, Johnson, McMeekin, Payne, Scott, Tebbs, Waterson, Weddle, Wilkinson and Younger—13.

Mr. Simmons having received a majority of all the votes cast, was declared duly elected Enrolling Clerk.

Mr. McMeekin introduced a bill entitled,

An act to remove the seat of government, temporarily, to the Shawnee Manual Labor School, in the Territory of Kansas.

On motion by Mr. Anderson,

The rule was suspended and bill read a first time.

Rule suspended and read a second time.

Considered as engrossed and put upon its third reading.

Mr. Mathias moved for the previous question.

Withdrawn.

Mr. Marshall moved an adjournment,

Which was lost.

The question being upon suspension of rule and third reading of bill,

Mr, Anderson called for the ayes and noes.

The vote was as follows:

AYES.

Messrs. Anderson, Blair,
Harris, Hieskill,
Johnson, Kirk,
Mathias, McMeekin,
Payne, Scott,
Tebbs, Waterson,
Weddle, Williams,
Wilkinson, Younger,
Mr. Speaker.—17.

NOES.

Messrs. Baker, Houston,
Hutchinson, Jessee,
Ladd, Marshall,
Wattles—7.

And so the rule was suspended and the bill read a third time.

The bill being upon its passage,
Mr. Waterson called for the ayes and noes.
The vote stood as follows:

AYES.

Messrs. Anderson,
Harris,
Johnson,
Mathias,
Payne,
Waterson,
Wilkinson,
Younger,
Blair,
Heiskill,
Kirk,
McMeekin,
Scott,
Weddle,
Williams,
Mr. Speaker—16,

NOES.

Messrs. Baker,
Hutchinson,
Jessee,
Marshall,
Houston,
Ladd,
Wattles.

The Chair excused Mr. Tebbs from voting.
And so the bill was declared passed.
Mr. Houston moved that the House do now adjourn.
Lost.

A message from the Governor, by Mr. Higgins, his private Secretary, transmitting his message, was received and ordered to be read:

To the Honorable the Council and House of Representatives of the Territory of Kansas:

Having been duly notified that your respective bodies have organized for the performance of your official functions, I herewith submit to you the usual executive communication relative to subjects of legislation, which universal and long continued usage in analogous cases would seem to demand, although no express requirement of it is to be found in the act of Congress which has brought us into official existence and prescribed our several duties.

The position which we occupy, and the solemn trust that is confided to us for originating the laws and institutions, and moulding the destinies of a new republic, in the very geographical center of our vast and magnificent confederation, cannot but impress us with a deep and solemn sense of the heavy responsibility which we have assumed, and admonish us to lay aside all selfish and equivocal motives, to discard all unworthy ends, and in the spirit of justice and charity to each other, with pure hearts, tempered feelings, and sober judgments to address ourselves to our task, and so perform it in the fear and reverence of that God who oversees our work, that the star we expect to add to the national banner shall be dimmed by no taint or tarnish of dishonor, and that when viewed from the trying and scrutinizing stand point of the future, we shall be subject to no reproach save that which springs from the inevitable fallibility of just and upright men.

In the business of legislation, the very first necessity is the ascertainment of the existing law, as it impossible to determine what we need in that respect until we ascertain what we already possess. It will be found, I think, upon slight investigation, that we are already provided with an ample and valuable store of laws for the redress of civil wrongs, and the punishment of criminal offenses, which will materially diminish your labors.

The present Territory of Kansas has been at various periods since the treaty of April 30, 1803, with the French republic, a portion of the District of Louisiana, of the Territory of Louisiana, the Territory of Indiana, and the Territory of Missouri; and it becomes necessary to take a brief review of the legislation of Congress relating to it during each of these periods. Immediately after the acquisition of the Territory of Louisiana by the treaty before mentioned, provision was made, by act of Congress passed 31st October, 1803, for its temporary government; which continued the civil, military, and judicial powers [illegible] the expiration of the first session of the eighth Congress. On [illegible] being [illegible] before the close of said session, the said Territory was divided into the Territory of Orleans and the District of Louisiana and the 33d parallel of north latitude, from the Mississippi river west, was designate as the boundary line between the two—thus including the present Territory of Kansa in the northern division; and by the same act this portion, by the name of the Distric of Louisiana, was subjected to the government of the Territory of Indiana, and becam a part of it. The Territory of Indiana had been a portion of the old Northwestern Territory, which was first organised by the ordinance of July 13, 1787. This ordinance was subsequently adapted to the provisions of the constitution of the United States, by act of Congress of August 7, 1789; and by act of Congress passed May 7, 1800, a portion of this Northwestern Territory was organized as the Territory of Indiana, to which, as already stated, the District of Louisiana was annexed. On the 3d of March, 1805, the District of Louisiana was again severed from the Territory of Indiana, and organized by the name of the Territory of Louisiana, and on the 4th day of June, 1812, was converted into the Territory of Missouri, with considerable modification of the rules for its government.

It will thus be seen, as I have stated, that the country composing our Territory has been successively subjected to the French code, existing at the acquisition of Louisiana, by the treaty of Paris—to the laws of Indiana, derived from the Northwestern Territory, as well as those enacted for Indiana after its severance—to the laws of the Territory of Louisiana, and the laws of the Territory of Missouri. The severance of a portion of the latter Territory, and its erection into the State of Missouri in the year 1821, did not, in my opinion, at all effect the laws in force outside of the bounds of the State, which remained as valid after that event as they were before.

Under the ordinance of 1787, amended in 1789, it was provided that a certain legislative power should be vested in the Governor and Judges, who were directed to adopt and publish such laws, criminal and civil, of the original States, as they might consider necessary, which were to remain in force unless altered by the Legislature. It was also provided by authority of Congress, among other things, that the inhabitants should "always be entitled to the benefit of the writ of habeas corpus and of the trial by jury, of a proportionate representation of the people in the Legislature, and of judicial proceedings according to the course of the common law."

By the act of May 7, 1800, erecting the Territory of Indiana, a government was provided "in all respects similar to that provided by the ordinance of Congress passed July 13, 1787, for the government of the territory of the U. States north of the river Ohio; and the inhabitants shall enjoy all and singular, the rights, privileges, and advantages granted and secured to the people by the said ordinance," and the same powers were conferred and duties enjoined upon its officers, as had been exercised by the officers of the Northwestern Territory under the said ordinance.

By the act of 26th March, 1804, annexing the District of Louisiana to Indiana Territory, power was given to the Governor and Judges "to make all laws which they may deem conducive to the good government of the inhabitants thereof," and it was also further provided, "that the Judges shall possess the same jurisdiction they possess in the Indiana Territory." This arrangement, however, was of short duration; for in less than a year the Territory of Louisiana was erected by a law which took effect on the fourth day of July following—and Congress then vested the entire legislative power in the Governor and Judges, securing trial by jury in all criminal prosecutions, and in all civil cases involving over one hundred dollars, if demanded, and saving all laws previously in force in the district and not inconsistent with the act of Congress.

The act of 1812, changing the name of the Territory to Missouri, and taking effect on the first Monday of December following, provided for a more efficient and thorough organization, and was much more comprehensive in its details, vesting the legislative power in a general assembly, but taking care to provide that the people should "always be entitled to judicial proceedings according to the course of the common law, and the laws and usages in force in the the Territory; and that the laws and regulations in force in the Territory of Louisiana at the date of the act, and not inconsistent therewith, should continue in force until changed by the Legislative Assembly."

The act of Congress organizing the Territory of Kansas does not alter the Congressional legislation as left on the first Monday of December, 1812, and its results through the Territorial Legislature, except that it repeals all former laws recognizing or prohibiting slavery, and applies all laws of the United States not locally inapplicable, by which we are to understand all U. S. statutes enacted for other localities which are capable o being transplanted and adapted to our Territory.

The Legislatures of the Territories of Louisiana and Missouri enacted, of course, man general laws, and among them is a statute of January 19, 1816, adopting for the Terr tory of Missouri the common law and the English statutes in aid thereof, prior to t fourth year of James the first, with some qualifications,

From this summary, the length of which has been unavoidable, it appears that th laws of the United States not inapplicable to our locality—the laws of the Territory of Indiana made between the 26th March, 1804, and the 3d March, 1805, enacted for the District of Louisiana—the laws of the Territory of Louisiana—the laws of the Territory of Missouri—the common law, and the law of the province of Louisiana at the time of the cession, except so far as the later have superseded the former, still remain in force in the Territory of Kansas. As the common law, to a considerable extent, was adopted for the Territory by Congress as late as 1812, and by the Missouri Legislature as late as 1816, and as it is perhaps the most complete and comprehensive system in the world, it has without doubt superseded and supplied a great amount of the law previously existing. In this mass of conflicting legislation, however, it will impose upon your courts much embarrassment and trouble to decide the questions of implied repeal which will continually arise, and I would therefore call your attention to the necessity of curing this evil by some legislation which will declare distinctly which of these previous laws are in force, and which are not.

There are many specific subjects of legislation, some of which are expressly referred to you by the bill organizing our Territory, and others spring from the necessity of out community. Prominent among them is the questton whether we shall build our government upon the basis of free or of slave labor. Claiming as we do the same capacity for self-government as our fellow citizens of the States, with a far greater, if not an exclusive interest in the institutions and laws which are to exist among us; compelled alone to bear their burdens, and entitled alone to claim their benefits; wisdom, justice and fairness would dictate that those laws and institutions inside of the Constitution of the United States should be moulded by ourselves, stimulated by the absorbing interest we must feel in them, rather than by the representatives or citizens of other States who are no more competent to the task than we—who have no stake with us in their results, and who would most indignantly repel any offer of reciprocity from us in assisting to manage their affairs. The provisions of our Territorial organic act secures us this right and is founded in the true doctrines of republicanism. It may be exercised in various degrees and in various ways, and whenever it is called into action it cannot legitimately be attended with that excitement which is incident to the agitation of the slavery question in the direction of an attack upon constitutional rights. An agitation of that kind, such as we have seen industriously prosecuted in the past history of our country by the destructive spirit of abolitionism, can never be productive of aught but evil, and is calculated in an eminent degree to obscure the glories of the past, to evoke the foulest spirit of discord among the citizens of our common country, and also to mar our brilliant future, if not to endanger the existence of our cherished Union. A want of fidelity to the solemn compacts of the constitution and an attack upon the rights of the States which are guaranteed by it, can have no justification or excuse. This view of the case, however, is not to be confounded with the discussion and settlement of the slavery question in our Territory in its bearings upon the formation of our institutions. That has been referred to us as an open question by the legitimate action of the nation, and here it is not only the privilege but the duty of every man to speak his opinions freely and enforce them peaceably and fairly. Advocate and opponent stand on the same ground, and must mutually concede to each other the identical measure of right which they claim for themselves. Freedom of opinion and freedom of discussion without licentiousness, are of the very essence of republicanism at all times, are peculiarly to be respected here. The permanent character and high authority of a State Constitution and the fact of its submission to a direct vote of the people of the Territory indicate that event as a signal occasion for the decision of that peculiar question. In the meantime, however, a Territorial Legislature may undoubtedly act upon the question to a limited and partial extent, and may temporarily prohibit, tolerate or regulate slavery in the Territory, and in an absolute or modified form, with all the force and effect of any other legislative act, binding until repealed by the same power that enacted it.

Among the several objects of legislation which are referred to your action by the act organizing the Territory is the creation and defining of counties. The non-completion of the surveys would seem at first to require a resort to natural boundaries in the performance of this work, but from a map of projected surveys made in the office of the Surveyor General, and kindly furnished me for the purpose, it is probable the county lines may be designated in advance at least over a portion of the Territory. You will decide whether it is expedient to provide that the said designation shall be made before the lines are run on the ground. Of the eighteen ranges east on the base line, and the thirty-five townships south, the lands lying within townships one to fifteen south of range nine to eighteen east, and continuing on to the Missouri river and State line, will be first surveyed. Outside of these limits it perhaps would be premature to adopt the projected lines of survey as boundaries of counties. The map alluded to is submitted with this communication.

The census of the Territory taken under the provisions of the act of Congress, exhibits a return of two thousand nine hundred and four qualified voters, and an entire population of eight thousand five hundred and twenty-one persons, exclusive of Indians and officers, soldiers and employees of the army of the United States not residing in the Territory. The census returns, which are submitted for your inspection, contains a considerable amount of statistical information, such as the place of emigration, ages, occupations, &c. This population consists of five thousand one hundred and thirty-eight males, and three thousand three hundred and eighty-three females; and it is a fact worthy of remark, as peculiar to a great extent to this Territory, that they are not, as usual, collected about one point or along a frontier line, but are dispersed over a district of more than 15,000 square miles. This state of things, although it has its inconveniences at present, is nevertheless highly gratifying, as it indicates that our Territory has many points of strong interest, and promises an early development of our resources.

In obedience to the act of Congress, I have, until otherwise provided by law, divided the State into Judicial Districts, designated the places for courts, and assigned the Judges, as stated in my proclamation of the 26th of February last, which, together with all the other proclamations from the Executive department, will be submitted to you. The designation of terms of the Supreme Court was purposely omitted, for the reason that my action was only provisional until the subject could be committed to your charge, and the jurisdiction of the court as yet being probably only appelate, there could be for some time no business to evoke its action.

The provisions for County Courts and the officers connected with them, and the other officers of the Territory which you may consider necessary, the laws for regulating and holding elections, the qualifications of voters, the jurisdiction of the Supreme and District Courts, the election or appointment of Justices of the Peace and Constable, their powers and jurisdiction, the means of settling decedents' estates (so far as their several matters are unprovided for by existing laws,) together with other obvious subjects, need no special comment from me. In regard to Constables and Justices, however, I desire to state that I have issued a number of commissions throughout the Territory, which, under the act of act of Congress, will expire at the end of the present session, and it would probably prevent public and private detriment to authorize them to complete any proceedings which may then be pending before them. If, as is probable, you shall provide for filling these offices by election, I would suggest that some provision be made for the time that shall elapse between the expiration of the present commissions and qualifications of new incumbents.

The presence in our Territory of so large a number of Indians, interspersed as they are with the white population, adds a feature to the indiscriminate sale of intoxicating liquors, which does not exist in other communities. A portion of them indulge upon almost every opportunity in the excessive use of ardent spirits, and the friends and enemies of prohibition who are acquainted with the Indian character, and its frenzied developments under the influence of intoxication, will probably all unite in the admission that special precautions in this respect are necessary, as well for the protection of the Indian against degradation, as of the whites against violence. The more estimable members of most of the tribes are using their influence to check this evil, and we should second their efforts, as well for our sake as their own.

The cause of education I need scarcely recommend to your especial attention. It is always better to pay for the education of the boy than the punishment of the man. To enlarge upon the necessity of general education for producing a good government would be at this day a work of supererrogation, and I leave the matter in your hands, confident it will receive the attention it deserves.

Levying public taxes at this time, at least to any considerable extent, before our people have secured title to their lands, or realized their products, would be undesirable, unless absolutely necessary; but if you should find it necessary to levy and collect taxes for county or other purposes, I have no doubt the pre-emptor who claims an inchoate title in his quarter section, could be assessed thereon for his share of the public burdens.

The location of the permanent seat of government is also referred to you by act of Congress making the appropriation, and in view of the large expenditure necessary for the erection of public buildings, and of the fact that in case of a removal the burden of new buildings will fall upon the people of the Territory, wisdom would seem to require that this duty should be performed with an eye to the future as well as the present, and to the probable rapid progress of our Territory, and the probable bounds of a future State.

The organization of the militia of the Territory is another subject which will demand our attention; and in this connection I have to inform you that the Territory of Kansas is entitled to two thousand muskets, deliverable in kind, and also to one hundred and thirty-seven muskets, being the annual appropriation for 1855, from the General Government. The annual appropriation may be commuted for other arms or field artillery, at cost. These arms are deliverable at any accessible point in the Territory, on the requisition of the Governor, and will be called for whenever the legislation of the Territory shall make it necessary or expedient.

A. H. REEDER,
Governor, &c.

EXECUTIVE DEPARTMENT, July 3, 1855.

Mr. Anderson offered the following resolution:

"*Resolved*, That the message of his Excellency, the Governor, be referred to a select committee, with instructions to refer the various matters therein contained to the proper standing committees.

Carried. Whereupon
The Chair appointed Messrs. Anderson, Mathias, and Marshall as sai committee.

Joseph M. Fox and Benjamin F. Simmons, elected Engrossing and Enrolling Clerks, were duly sworn in by the Hon. Sanders W. Johnson, Associat Judge of the Supreme Court.

Mr. Wilkinson offered the following resolution, which was adopted;

Resolved, That —— thousand copies of the Governor's message be printed for the use of the House.

Mr. Wilkinson moved that the blank be filled by "two thousand."
Lost.
Mr. Payne moved to insert "one thousand,"
Which was decided in the affirmative.
Message from the Council by Mr. Eastin, a member;

MR. SPEAKER:

I am instructed by the Council to inform the House that the House bi of the following title has passed the Council:

"An act to remove the seat of government temporarily to the Shawnee Manual Labor School, in the Territory of Kansas."

The Chair appointed Messrs. Wilkinson and Waterson as a committee o enrolled bills.
The committee on enrolled bills made the *following* report:

MR. SPEAKER:

The committee on enrolled bills have examined and found truly enrolled bill of the following title:
An act to remove the seat of government temporarily to the Shawnee Manu Labor School, in the Territory of Kansas.

WATERSON, } *Committee.*
WILKINSON, }

The report was adopted.

On motion.
The House adjourned until nine o'clock to-morrow morning.

WEDNESDAY MORNING, JULY 4, 1855.

House met pursuant to adjournment.

The journal of yesterday was read, and,

On motion of Mr. Ladd,

The journal was amended by adding the names of all the protestants, and his own name, to the protest presented to the House on yesterday, and that the same be spread upon the journal.

Mr. Jessee moved an adjournment until to-morrow morning.

On motion of Mr. Mathias,

The ayes and noes were called.

The vote stood as follows:

AYES—Messrs. Baker, Houston, Hutchinson, Jessee, Ladd, and Wattles—6.

NOES—Messrs. Anderson, Blair, Harris, Hieskill. Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Waterson, Weddle, Williams, Wilkinson, Younger, and Mr. Speaker—18.

So the motion to adjourn was lost.

On motion by Mr. Anderson,

The journal of yesterday was adopted.

On motion by Mr. Waterson,

The roll was called.

Mr. Mathias, from the committee on credentials, made the following majority report:

To the Honorable the Speaker of the House of Representatives of the Territory of Kansas:

The undersigned, a majority of the committee appointed by this House as a special committee on credentials, whose duty it was to inquire into and examine the evidence of membership of gentlemen who claim their seats as members of this House of Representatives of the Territory of Kansas, most respectfully beg leave to make the following report:

Having heard and examined all the evidence touching the matter of inquiry before them, and taking the organic law of Congress, passed on the 20th day of May, in the year 1854, organizing the territorial governments of the Territories of Nebraska and Kansas, as their guiding star, the only bright and shining light to the port of a true and correct conclusion in the premises, believe and declare, in the first place, that the Governor of the Territory of Kansas had not the exclusive right or power to prescribe the manner and form by which the first election for members of the first Territorial Legislative Assembly of the said Territory of Kansas should be conducted and placed upon a basis; but that a fair construction of the 22nd section of the said organic act leads them—nay, drives a majority of your said committee, to the conclusion that no particular form of the oath which the judges of said election take was necessary, and that no particular form of the return of said election by the said judges was necessary in order to legalize the said election; but such oath as they and such returns as are usual for judges of elections in the several States to take, perform, and return, is all that the organic act requires. And a majority of your committee believe and are of the opinion.

from the original papers filed in the office of the Secretary of the Territory, and other papers and evidence which were before them, that the oaths and returns, and all other acts taken, done, and performed by the judges appointed by his Excellency, A. H. Reeder, Governor of the Territory of Kansas, to hold and conduct the election for members of the first Territorial Legislative Assembly, were in the usual form, at all events as effectual and as legal and binding as if the said oaths and returns had been in the form prescribed by the Governor in his proclamation, *verbatim et literatim.*

Indeed, any other construction might lead to usurpation of power, never ending confusion, and wrong. And besides, it is not to be expected, nor is it required by any rule of law or courts of justice, in the United States or Great Britain, that oaths or affidavits taken and made promiscuously throughout the country shall be uniform: but that any oath or affidavit, taken or made by any officer of any branch of the government, clearly showing the intention of the party taking or making the same to the point at issue, or matter of fact to be established or procured, is all that the law requires.

In the second place, the undersigned, a majority of our said committee are of the opinion and declare that the said organic act, establishing the territorial governments of the Territories of Nebraska and Kansas, does not give to the Governor of the Territory of Kansas, power generally to set aside elections, nor does it confer upon him the right or power to set aside the election held on Friday, the 30th of March last, in any one or all of the election precincts, unless (in the language of the bill itself, section,) that in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the Legislative Assembly. In these events, and these events alone, has he power to order a new election.

And this, sir, appears to be a very liberal construction. Mark the words, "That in case two or more persons voted for shall have an equal number of votes," without any qualification. This language might deprive two or more persons, fairly elected by their constituents, of their privileges as members of this House; because, for instance, it is not impossible for A, who might be a candidate for a seat in this House for District No. 1, and B, a candidate also for a seat in this House in District No. 2, to have an equal number of votes; so that without liberality in construing this language, the election of both A and B might be set aside, on a mere pretense, however trivial. But it is conceded that the Governor of this Territory has the power, under the organic act of Nebraska and Kansas, to set aside the election in any Council or Representative District, where either of those contingencies arise.

But it is not pretended on the part of the Governor, or any gentlemen claiming seats in this House, that a tie occurred in any representative district, nor that any election in any one or more of the representative districts was set aside on that ground, yet it appears that the election in a number of the representative districts of this Territory were set aside, and certificates refused to gentlemen who claimed to be elected by a large majority of their constituents.

Upon what ground then were these elections set aside, and certificates refused? A majority of your committee, and they apprehend a majority of the members of this House, are at a loss to know.

It is pretended, however, that these elections were set aside and certificates refused, upon the ground of a non-compliance on the part of some of the judges of the election, with the manner and form prescribed in the proclamation of the Governor of this Territory. This, as it has already been shown, was not a legitimate reason for thus setting aside these elections; but nevertheless new elections were ordered to be held on the 22d May last, and number of gentlemen are now holding their seats in this House by virtue thereof.

Can it be that Congress in its wisdom, having great experience and the history of the past before them, designed to delegate to one man the power to create a vacancy in the popular branch of this Legislature, for his own purposes, on any pretense whatever? Certainly not. But a majority of your committee emphatically deny that any vacancy in this branch had occurred at the time of the issuing of the Governor's proclamation, ordering a new election in the several districts of this Territory where new elections were held and conducted, under and by virtue of that proclamation, or at the time such elections were held and conducted, or at any time subsequent, until the organization of both branches of the first Territorial Legislative Assembly of the Territory of Kansas, and certainly none since, for every seat has been occupied from that moment until the present, whether rightfully or not is for this House to decide.

Now, sir, if this be a correct view of the subject, by what authority have the elections in the said several representative districts been set aside? By what authority have certain gentlemen been refused certificates of election? and by what authority has a new election been ordered and held on the 22d day of May last? Verily, none; at least none that a majority of your committee can see; and the election held in the several districts of the Territory on the 22d day of May last, is therefore, in the opinion of a majority of your committee, wholly and entirely illegal, unwarrantable, and not authorized by the organic act establishing the territorial governments of the Territories of Nebraska and Kansas, and have therefore disregarded the said election.

Upon the subject of certificates this committee would only remark that a certificate of election in the hands of a party claiming a seat in this or any other house of a similar character, is only *prima facie* evidence of his right to sit until the House shall have passed upon the fact, and nothing more; and that a certified copy of the return of the judges of an election, or the original return filed in the office of the Secretary of State, is also *prima facie* evidence of his right to sit until otherwise ordered by the House of which he claims to be a member; and that it is competent and legal, and in accordance with the best parliamentary law and regulation, for this House, or any similar body constituted as this is, to oust, or in other words to turn out, and refuse to any person the privilege to sit as a member, notwithstanding he may have a certificate of election with the broad seal of a State or Territory, as the case may be. The precedents on this branch of our report are so numerous, and so well and generally understood, that to say more would be but taxing sounds and words wholly unnecessary now.

In regard to those gentlemen who are now sitting members of this House, and whose seats are not contested in this place, are passed without further comment.

But with regard to those whose seats are contested, the majority of your committee having already declared that the election held on the 22d of May was void *ab initio*, cannot entertain either the certificate of the Governor of this Territory, or a certified copy of the return of the judges of the said election, nor even the original return filed in the office of the Secretary of the Territory, and must therefore be governed entirely by the return of the judges who held and conducted the election held on the 30th of March last, in pursuance to and compliance with the just proclamation of the Governor of this Territory, ordering an election for members of the Territorial Legislative Assembly of the Territory of Kansas.

Accordingly it appears that Mr. A. S. Johnson, from the first Representative District, is entitled to his seat as a member of this House.

That Messrs. Joseph C. Anderson and S. A. Williams, from the sixth Representative District, are entitled to their seats as members of this House.

That Mr. S. D. Houston, from the eighth Representative District, is entitled to his seat as a member of this House.

That Mr. F. J. Marshall, from the ninth Representative District, is entitled to his seat as a member of this House.

That Mr. W. H. Tebbs, from the tenth Representative District, is entitled to his seat as a member of this House.

That Messrs. J. H. Stringfellow and R. L. Kirk, from the eleventh Representative District, are entitled to their seats as members of this House.

That Messrs. Joel P. Blair and Thomas W. Waterson, from the twelfth Representative District, are entitled to their seats as members of this House.

That Messrs. H. B. C. Harris and J. Weddle, from the thirteenth Representative District, are entitled to their seats as members of this House.

That Messrs. W. G. Mathias, H. D. McMeekin, and A. Payne, from the fourteenth Representative District, are entitled to their seats as members of this House.

The foregoing gentlemen are those whose seats have not been contested.

And it appears that Messrs. John Hutchinson, Philip P. Fowler, and Erastus D. Ladd, from the second Representative District; Messrs. Augustus Wattles and William Jessee, from the third Representative District; and Mr. Cyrus K. Holliday, from the fourth Representative District—have received certificates of their election from the Governor, declaring them duly elected as members of this House, on the 22d of May last. But inasmuch as a majority of your committee have declared that that election was void from beginning to end, and that the Governor was not authorized or empowered to order that election, by the organic act establishing this territorial government, they are not entitled to their seats as members of this House.

But that Messrs. James Whitlock, A. B. Wade, and John M. Banks, from the second Representative District, are entitled to their seats as members of this House, having received a majority of the votes polled in their said Representative District, at an election held therein on the 30th day of March, 1855.

Messrs. G. W. Ward, and O. H. Browne, from the third Representative District, are entitled to their seats as members of this House, having received a majority of the votes polled at an election held in their Representative District, on the 30th day of March, 1855.

Mr. D. L. Croysdale, of the fourth Representative District, is entitled to his seat as a member of this House, having received a majority of the votes polled in his said Representative District, at an election held therein on the 30th day of March, 1855.

In the fifth Representative District it appears the A. J. Baker received a certificate of election from the Governor of this Territory, declaring that the said A. J. Baker was duly elected a member of this House, said certificate bearing date the 6th day of April, 1855.

It appears from all the facts in this case of Mr. A. J. Baker, that in his (the fifth) Representative District there are two precincts. A. J. Baker received twenty-five votes, and M. W. McGee, the contestant in this case, received twelve votes, at one precinct; and at the other precinct, A. J. Baker received one vote, and M. W. McGee received two hundred and ten votes. The returns of the judges of election from both these precincts are equally effective and equally legal in our judgment, and therefore declare that A. J. Baker, from the fifth Representative District, is not entitled to his seat in this House, but that M. W. McGee, from the said fifth Representative district, having received a majority of all the votes polled in that Representative

District, on the 30th day of March, 1855, is entitled to his seat as a member of this House.

The foregoing, your committee know, is very imperfect; but the shortness of the time allowed to investigate the subject referred to them did not admit of a more thorough and comprehensive report thereon.

All of which is most respectfully submitted.

WM. G. MATHIAS, *Chairman.*
A. S. JOHNSON.
WM. A. HIESKILL.
THOS. W. WATERSON.

On motion by Mr. Houston,

The following minority report from committee on credentials was read:

Minority Report on Contested Seats in the House of Representatives of Kansas Territory.

The minority of the committee appointed on the second instant by this House, for the purpose of examining credentials in certain contested election districts, beg leave to present the following protest:

The government of Kansas Territory, in the opinion of your committee, is an official and progressive one, or in other words it is a government whose successive steps of progression is dependent on official action. Congress passes a law designating the President and Senate of the United States as the means to a Governor, and the Governor, when thus appointed, becomes the organizing authority from which the Legislative body emanates.

Congress, through the Governor, organizes the Territory, and through him continues to retain its connection, and hold and exercise such control as it may from time to time direct.

In the 20th section of the organic act, it declares that he shall—not that he may, but that he shall—commission all officers who shall be appointed to office under the laws of the Territory.

In the 22d section of the same act the organizing steps which the Executive shall take are definitely pointed out. He is there ordered to take the census, call an election, specifying the time, place, and manner of conducting it. It also requires him to appoint the judges who shall superintend it, and makes him the sole judge of the returns when made out by the judges. It requires him to declare the person or persons having the highest number of legal voters to be duly elected, and confines his commissionary power to members thus elected. And in the 23d section the Governor is further specifically and definitely instructed how to judge of legal voters. It positively decides that no man but a white man, and that one an actual resident, shall be entitled to a vote.

Taking this view, which so clearly appears to be the obvious meaning of the organic law, your committee would respectfully beg leave to enter his protest against the report of the majority, in the following particulars:

First, the Governor, in whom the organizing power is vested, has, in accordance with his instructions specifically pointed out in the law, declared, by giving certificates of election to John Hutchinson, Erastus D. Ladd, Philip P. Fowler, Augustus Wattles, and William Jessee, that they are duly elected members of this House; and consequently those persons claiming seats, to whom the executive power has not given certificates of election, are not entitled to seats in this House.

I cannot agree that this body has the right to go behind the decision of the Governor, who, by virtue of his office, is the organizing federal arm of the general government to evolve and manage a new government for this

Territory, for the obvious reason that Congress makes him the sole judge of qualifications for membership.

It makes him the channel to, and the organized means of, the existence of this body.

To assume the contrary proposition, is to assert that this legislative body exists before it can have a legal existence. Whatever latitude may be taken in State legislation with reference to contested elections, they can form no precedent for us, for the plain reason that while their governments are formed and complete, ours is in a forming state, and therefore incomplete.

In the second place, from the evidence before the committee, great deficiencies appear, not in the form of conducting the election, but in the manner of holding them, both as to the qualifications of judges who presided, and the returns made out by them.

In some cases it does not appear that the judges were legally sworn into office; and in other instances they actually presumed to change the law, by striking out the words "legal voters" and "actual residents," and inserting such words as suited their fancy. It is also further evident, on comparing the census just taken with the election returns, and making all the allowances which extravagance would suggest, that in some districts a great many more votes were actually polled than there were resident voters belonging to said districts.

No doubt but these illegal proceedings on the one hand induced the Governor to withhold certificates from some who, from the number of votes returned in their favor, might at the same time appear to have been properly elected; and on the other to have been the ground on which he presented a certificate in one instance, and in another ordered a new election in reference to other districts.

In regard to the right of the Governor to order a new election, the organizing object to be accomplished, the intention of Congress which pervades the bill, together with the express language of the bill declaring that when a vacancy shall otherwise occur he shall call a new election—make it perfectly clear that he possesses the right to order a new election, and compelled him to do so. Hence the members holding certificates by virtue of that election have a clear right to their seats in this House.

The idea that a seat is not vacant until it has been previously filled, though a specious one, is a mere play on words. All over the land the term is used with reference to all unfilled positions, and no doubt Congress uses it in the same sense.

With these facts before me, and my oath to support the organic law to guide me, I feel compelled to wholly dissent from, and protest to, the majority report of the committee on credentials, appointed by this House.

We would respectfully request that this House extend time to gentlemen holding the Governor's certificate, in order to enable them to procure the necessary evidence to make good their claim, and we would further request that the protest be entered on the journal of the House, according to a long established custom in legislative action.

S. D. HOUSTON, *Committee.*

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House that the President of the Council has signed enrolled House bill of the following title:

An act to remove the seat of government temporarily to the Shawnee Manual Labor School, in the Territory of Kansas.

On motion by Mr. Matihas,
The House adjourned until 11 o'clock.

House met at 11 o'clock.

On motion by Mr. Anderson,

Resolved, That the report of the majority of the committee on credentials be adopted, and in accordance therewith Messrs. James Whitlock, A. B. Wade, John M. Banks, of the second Representative District; G. W. Ward, O. H. Browne, of the third Representative District; D. L. Croysdale, from the fourth Representative District; and M. W. McGee, from the fifth Representative District—having been duly elected on the 30th day of March, 1855, are declared entitled to their seats as members of this House.

On motion by Mr. Tebbs,
The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

Mr. Hutchinson moved that the majority report of the committee on credentials be laid on the table.
On motion by Mr. Anderson,
The ayes and noes were called.

AYES.—Messrs. Baker, Houston, Jessee, Ladd, and Wattles—5.
NOES.—Messrs. Anderson, Blair, Harris, Hieskill, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Waterson, Weddle, Wilkinson, and Younger—16.

Absent, Messrs. Hutchinson and Williams—2.
So the House refused to lay the report on the table.
On motion by Mr. Mathias,
The previous question was called for upon the final passage of the resolution of Mr. Anderson.
Mr. Anderson called for the ayes and noes.

AYES.—Messrs. Anderson, Blair, Harris, Heiskell, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Waterson, Weddle, Williams, Wilkinson, Younger, and Mr. Speaker—18.
NOES.—Mr. Houston.

The resolution was declared passed.
On motion by Mr. McMeekin,

Resolved, That the Speaker of the House appoint an additional assistant clerk, with the same pay as Assistant Clerk.

Whereupon,
The Chair appointed Mr. S. A. Lowe, Assistant Clerk.
On motion by Mr. Anderson,
Messrs. James Whitlock, A. B. Wade, John M. Banks, G. W. Ward, O. H. Browne, D. L. Croysdale, and M. W. McGee were duly sworn in, and took their seats as members of this House.

Moved by Mr. Anderson,
That the House reconsider the vote given on yesterday, by which the protest of certain gentlemen holding seats in this House was not allowed to be spread upon the journal.
Read and passed.
Moved by Mr. Anderson,
That the protest be spread upon the journal.
Agreed to.

PROTEST.

We, the undersigned members of the House of Representatives of Kansas Territory, believing the organic act organizing the said Territory gives this House no power to oust any member from this House, who has received a certificate of his election from the Governor; that this House cannot go behind an election called by the Governor, and consider any claims based on a prior election. We would therefore protest against such a proceeding, and ask this protest to be spread upon the journal of this House.

JOHN HUTCHINSON.
WILLIAM JESSEE.
AUGUSTUS WATTLES.
E. D. LADD.

On motion by Mr. Mathias,
A committee on accounts, consisting of Messrs. Mathias, Blair, and Kirk, were appointed.
On motion by Mr. Mathias,
The House adjourned.

THURSDAY, July 5, 1855.

The House met pursuant to adjournment.

On motion by Mr. Mathias,
The House dispensed with the reading the journal of yesterday, until evening.
On motion by Mr. Waterson,
The roll was called.
On motion
Mr. McMeekin introduced a bill entitled
An act to establish the statutes of the Territory of Kansas.
Mr. Wilkinson moved to lay the bill on the table,
Lost.
Mr. Anderson moved to suspend the rules and that the bill be read by its title,
Mr. Wilkinson called for the ayes and noes.
The vote stood as follows:

Ayes—Messrs. Anderson, Banks, Croysdale, Johnson, Mathias, McGee, McMeekin, Scott, Tebbs, Wade, Ward, Whitlock, Williams, Younger and Mr. Speaker—15.
Noes—Messrs. Blair, Harris, Heiskell, Houston, Kirk, Marshall, Payne, Waterson, Weddle and Wilkinson—10.
Absent—Mr. Browne.

So the rules were not suspended, and the bill was laid over.
On motion by Mr. Mathias,

The bill introduced by Mr. McMeekin was referred to a committee of five,
Whereupon the chair appointed Messrs. Mathias, Tebbs, Waterson, Marshall and McMeekin.
Mr. Browne gave notice of his intention to introduce a bill of the following title:

A bill granting to A. B. Wade & Co., the privilege of establishing a ferry across the Kansas river at the town of Lawrence.

On motion, by Mr. Speaker,
Mr. Anderson in the chair,
The House took recess for one hour.

The House being met after recess,

The committee to whom the House bill entitled
An act to establish the statutes of the Territory of Kansas, was referred, reported the bill back with amendment.

Mr. Mathias moved the suspension of the rule, and that the bill be read a second time, as amended.

On motion by Mr. McMeekin,
The ayes and noes were called,

Ayes—Messrs. Anderson, Banks, Croysdale, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Tebbs, Wade, Ward, Waterson, Whitlock, Williams, Younger and Mr. Speaker.—18.

Noes—Messrs. Blair, Browne, Harris, Heiskell, Houston, Payne, Weddle and Wilkinson—8.

So the rule was suspended, and the bill read a second time.

On motion by Mr. Mathias,
The bill was ordered to be engrossed.
It was moved by Mr. Speaker,
Mr. Anderson in the chair,
That the motion of Mr. Mathias ordering bill to be engrossed, be reconsidered.
Mr. Harris called for the ayes and noes.
The vote stood as follows:—

Ayes—Messrs. Anderson, Banks, Johnson, Mathias, McGee, McMeekin, Tebbs, Wade, Ward, Waterson, Whitlock, Williams, Younger and Mr. Speaker—14.

Noes—Messrs. Blair, Browne, Croysdale, Harris, Heiskell, Houston, Marshall, Payne, Scott, Weddle and Wilkinson—11.

So the motion to reconsider was decided in the affirmative.
Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
Moved the bill be considered engrossed, rules suspended, and bill be read a third time.
On motion of Mr. Mathias,
The ayes and noes were called.
The vote stood as follows:

Ayes—Messrs. Anderson, Banks, Blair, Croysdale, Harris, Johnson, Kirk, Mathias, McGee, McMeekin, Scott, Tebbs, Wade, Ward, Waterson, Williams, Wilkinson and Mr. Speaker—19.

Noes—Messrs. Browne, Hieskill, Houston, Marshall, Payne and Weddle—6.

So the bill was considered engrossed, and rule suspendod, and bill read a third time.
The question being upon the final passage of the bill.
On motion by Mr. Wilkinson,
The following amendment was offered by way of rider:
Amend by way of rider, by striking out the "statutes of Missouri," and insert in lieu thereof, "Nicholson's Revised Statutes of Tennessee."

Mr. Wilkinson moved a suspension of the rules, and that amendment be read a second time.
Which motion was lost.
The vote being upon the final passage of the original bill,
On motion by Mr. Weddle,
The ayes and noes were called.
The vote stood as follows:

Ayes—Messrs. Anderson, Banks, Blair, Browne, Johnson, Kirk, Marshall,

Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Whitehead, Williams, Young and Mr. Speaker—20.
Nays—Messrs. Harris, Heiskill, Houston, Weddle and Wilkinson—5.

Majority of the members voting aye, the bill was passed.
On motion by Mr. Payne,

Resolved, By the House of Representatives of the Territory of Kansas, the Council concurring therein, that the two Houses go into joint session for the election of a Public Printer, on Friday, the 6th day of July, 1855, at the hour of ten o'clock.

On motion by Mr. Marshall.
The rules were suspended, the bill read first and second time and passed.

On motion by Mr. Waterson,
The House adjourned.

AFTERNOON SESSION.

The House met, pursuant to adjournment.

Journal of yesterday was read and approved.
On motion by Mr. Anderson,
The House adjourned, subject to the call of the Speaker.

House met.

Message from the Council by Mr. Rees, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House that the Council has concurred in House resolution to go into the election of a Public Printer.

On motion by Mr. Mathias,
The House adjourned.

FRIDAY, [illegible]

The House met pursuant to adjournment.

The journal of yesterday was read and approved.

On motion by Mr. Waterson,

The roll of the House was called.

Mr. Harris gave notice of his intention, to introduce bills of the following titles:

An act to regulate the firing of Prairies,

An act to incorporate the city of Kickapoo,

An act for the destruction of prairie wolves.

An act to establish a road from Fort Leavenworth, to some point on Big Walnut Creek, running up the Missouri river, and passing through the town of Kickapoo,

Also, another road from the town of Kickapoo to the California and Santa Fe road,

Also, another from the town of Kickapoo to the California and Oregon road.

Mr. Weddle gave notice of his intention at some subsequent day to introduce a bill of the following title:

A Bill for the surveying and making of a road from Kickapoo city by way of Lecompton, on the Kansas river to the Council Grove, intersecting the Great Western Road to Santa Fe, at said Grove.

Mr. Weddle also presented the following petition:

To the Hon. General Assembly of the Territory of Kansas:

We, the undersigned petitioners would request your honorable bodies to pass an act to establish a Ferry upon the Missouri river, at or near the bend of said river, above Kickapoo city, upon the land claimed by William Thompson, for the benefit of said Thompson, upon which he now has a Ferry in successful operation.

Signed DAVID G. ROSS, NELSON PULLEN,
JOHN GROFF, JOHN B. JONES,
D. E. JONES, and others.

Message from the Council by Mr. Rees, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has adopted Rules for the government of the Legislative Assembly in Joint Session, and ask the concurrence of the House therein.

Mr. Anderson from the Committee on Rules reported Rules for the government of the House.

On motion by Mr. Mathias,

The report was received.

On motion by Mr. Mathias,

The Rules as reported by the committee were adopted.

[illegible] Governor, by his Private Secretary, Mr. Higgins, returning [illegible] to remove the seat of government temporarily [illegible] Labor School, in the Territory of Kansas," together [illegible]

To the House of Representatives of the Territory of Kansas:

[illegible] which it originated, the bill entitled "An act to remove the seat of government temporarily to the Shawnee Manual Labor School, in the Territory of Kansas," [illegible] I cannot give the bill my official sanction for several reasons. [illegible] until the seat of government is located by law, the Governor and Secretary of State (by which is doubtless meant the Secretary of the Territory) shall [illegible] at the Shawnee Manual Labor School."

[illegible] peculiarly objectionable. The Legislative and Executive Departments [illegible], are entirely independnt of each other in the performance of [illegible] duties within their separate spheres, and must each be left to the [illegible] own proper functions, independent of the control of the other, in any [illegible] interfere with the exercise of that discretion which is properly confided to them. Under our organic law there is even yet another consideration bearing upon this well known doctrine which forces itself upon our attention.

The Executive Department is an emanation of the power of the Federal Government, represent[illegible] authority of that government and the incumbent is appointed by it. His duties are defined by Congress, who may at any time restrict or enlarge them, and prescribe the mode in which they shall be performed, and to the Federal Government alone, from which his power is derived, and by which his movements are directed is irresponsible for the manner in which his official functions are performed. This controlling power over the Territorial Executive can neither be taken away from Congress by the Territorial Legislature, nor can it be exercised by the latter, concurrently with the former, because this would involve the possibility of an irreconcilable conflict between the two. The control of the Executive is not parted with by Congress, under the 24th section of the organic law, because, as already shown, such control by others would be inconsistent with the spirit of the act. The General Government have legislated in various portions of the act, as to the general duties of the Executive and in reference to this point particularly, now involved, have gone as far as they then deemed expedient, by providing that the Governor and Secretary shall reside in the Territory. They may at any time go further and provide at what point of the Territory the offices shall remain; but we must await their action in the matter as that of the only power which can prescribe it, so long as they see proper to leave to the incumbent of the Executive Department, the privilege of locating his office anywhere within the Territory, that privilege cannot be taken away by the Territorial Legislature.

When the actual seat of government is fixed by competent authority it would certainly become the duty of the Executive to locate his office there, and this brings us to the inquiry whether the bill which I now return is within the rightful powers of the Legislature as conferred by Congress.

It professes to locate the Seat of Government temporarily as contradistinguished from a permanent location. This distinction is well founded and well understood, and is recognized as well in the organic law as in the act of Congress of March 3, 1855, and a temporary Seat of Government is recognized as one upon which none of the public money appropriated by Congress shall be expended in the erection of public buildings.

By the organic law, the Governor was vested with the power to fix the place for the meeting of the first Legislative Assembly. By the same law, Congress themselves fixed the temporary Seat of Government, and by act of March 8, 1855, they conferred upon the Legislature the right to fix a permanent Seat of Government. The power of the Legislature is thus clearly defined. Congress has chosen to confine one branch of this subject to the Governor, to retain another for themselves, and to commit the third to the Legislature.

The temporary Seat of Government may or may not be used, and this will depend upon whether the Legislature shall leave the place fixed for their meeting by the Governor, before they shall fix upon a permanent Seat of Government. Congress having already fixed a temporary Seat of Government for the Territory, the only effect of the bill which [illegible] would be to repeal the 31st section of the Kansas Bill, which involves [illegible] functions of the Legislature.

The Legislature [illegible] virtue of the act of Congress, passed March 3d, 1855, entirely supersede [illegible] Seat of Government by a permanent location, upon which the public appro[illegible] is to be expended for buildings; but in no other made can the object be attained. Had Congress abstained [illegible] seat of Government, the Legislature might, perhaps, by implication [illegible] to do so; but when they exercise it themselves, and, in the [illegible] Legislature from any legislation inconsistent with the provisions of [illegible] that the door is closed for any such legislation as contemplated by the bill which has been submitted to me.

It follows, then, that the Legislative Assembly have no right to prescribe where the office of the Executive shall be held, except by means of the establishment of a Seat of Government, and that they are confined to the fixing of a permanent, and not a temporary one; and it would seem equally clear, that as Congress have provided for the place of their first meeting, for the temporary Seat of Government, and also for the permanent Seat of Government, that it was their intention that the Legislature should sit only at one place of the three.

Conclusive as this view of the case appears, I may add that I cannot perceive the expediency of the bill. Its effect will be at once to adjourn your present session to the place mentioned, and whilst I am prepared to admit that the Legislative, Assembly are satisfied of the existence of sufficient reasons for this step, these reasons are not apparent or convincing to me, and on the other hand, it is the loss of the time, (more valuable because limited) which our organic law allots to the Legislative Session, and because it will involve a pecuniary loss in view of the arrangements which have been made at this place for our accommodation.

EXECUTIVE DEPARTMENT,
July 6th, 1855.

A. H. REEDER,
Governor, &c.

On motion by Mr. Anderson,

The Governor's message was received, and ordered to be placed on file.

Mr. Anderson moved to take up the bill entitled an act to remove the seat of government temporarily to the Shawnee Manual Labor School, in the Territory of Kansas, which has been returned by the Governor with his objections, and put it upon its passage, the objections of the Governor notwithstanding.

The question being upon the final passage of the bill.

Mr. Mathias called for the ayes and noes.

The vote was as follows:

AYES.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskill, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, and Mr. Speaker—24.

NOES.—Messrs. Houston and Marshall.

So the bill passed.

On motion by Mr. Mathias,

The vote on the passage of the bill was reconsidered.

Whereupon,

Mr. Anderson withdrew his motion putting the bill upon its final passage.

On motion by Mr. Mathias,

The bill was read and put upon its passage.

On motion by Mr. Anderson,

The ayes and noes were called.

The vote stood as follows:

AYES.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskill, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, and Mr. Speaker—24.

NOES.—Messrs. Houston and Marshall—2.

So the bill passed.
a motion by Mr. Anderson,

Resolved, By the House of Representatives of the Territory of Kansas, the Council concurring therein, that the Legislature of said Territory do adjourn on the 6th day of July, A. D. 1855, to meet again on Monday, the 16th day of July, A. D. 1855, at 2 o'clock P. M., at the Shawnee Manual Labor School, in the said Territory.

Mr. Mathias asked for a call of the House.
On motion by Mr. Mathias,

Resolved, That two hundred copies of the rules adopted by this House be printed for the use of the members, and that two hundred copies of so much of the organic act establishing the territorial governments of the Territories of Nebraska and Kansas as refers to the Territory of Kansas, also be printed for the use of the members of this House, separate and apart from each other.

Mr. Williams gave notice that at some future day he would introduce a bill entitled an act to more effectually protect the squatter in his claim to 160 acres of land in Kansas Territory.
On motion by Mr. Mathias,

Resolved, That it shall not be necessary for the Clerk to spread upon the pages of the journal of the House the reports of standing committees, rules and orders of the House; but that said reports, &c., shall be carefully preserved by the Clerk, and printed as an appendix, to be attached to the proceedings of the House.

On motion by Mr. Mathias,
The Speaker appointed Messrs. Mathias, Anderson, and Williams, as a special committee to have the rules of this House and the organic act published by the 16th day of July, 1855.

Message from the Council, by Mr. Rees, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House that the Council has passed the House bill entitled an act to remove the seat of government temporarily to the Shawnee Manual Labor School, in the Territory of Kansas.
And also, that the Council has passed a resolution adjourning July the 6th, 1855, to meet again at the Shawnee Manual Labor School, in the Territory of Kansas, on Monday July the 16th, A. D. 1855, and ask the concurrence of the House therein.

On motion by Mr. Mathias,
The rules were suspended, and the Council resolution read and put upon its passage.
Mr. Mathias called for the ayes and noes on the passage of the resolution.
The vote stood as follows:

AYES!—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Haskill, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott,

Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, and Mr. Speaker—25.
Not voting, Mr. Houston.

So the resolution was concurred in by the House.

Mr. Williams moved the appointment of a committee of two, to act in conjunction with a committee on the part of the Council, to wait upon his Excellency, the Governor, and inform him that the Council and House of Representatives will adjourn this evening, at 2 o'clock, to meet again at the Shawnee Manual Labor School, in the Territory of Kansas, on Monday, the 16th day of July, 1855.

Whereupon,

The Speaker appointed Messrs. Williams and Marshall as the House committee.

Message from the Council, by Mr. Rees, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House that the Council has passed the following resolution, and ask the concurrence of the House therein:

Resolved, That a committee of three be appointed to act in conjunction with a committee on the part of the House of Representatives, to inform his Excellency, the Governor, that the Legislative Assembly will adjourn this afternoon, to meet on Monday, the 16th inst., at the Shawnee Manual Labor School, in the Territory of Kansas.

In accordance with the concurrent resolution of yesterday, the members of the Council with their officers having arrived in the hall of the House, the President of the Council took the Chair, and announced that the election of a Public Printer was the business now before them, and that nominations for that office were now in order.

Mr. Rees, of the Council, nominated John T. Brady.

Mr. Kirk, of the House, nominated R. S. Kelly.

Mr. Harris, of the House, nominated A. B. Hazzard.

Mr. Houston, of the House, nominated S. P. Higgins & Co.

Mr. Stringfellow, of the House, nominated W. H. Adams.

No other nominations being made, the House proceeded to a ballot, when there appeared—for Mr. Brady 29, Mr. Kelly 7, Mr. Hazzard 1, Mr. Higgins 1.

The members of the House of Representatives voted as follows:

For Mr. Brady—Messrs. Anderson, Banks, Browne, Croysdale, Hieskill. Johnson, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Weddle, Whitleck, Wilkinson, and Younger—19.

For Mr. Kelly—Messrs. Blair, Kirk, Waterson, Williams, and Mr. Speaker—5.

For Mr. Hazzard—Mr. Harris.

For Mr. Higgins—Mr. Houston.

John T. Brady having received a majority of all the votes cast, was declared duly elected Public Printer.

On motion by Mr. Rees,
The joint session was then dissolved, and the Council retired.
On motion,
The House took recess until one o'clock.

EVENING SESSION.

House met.

The roll was called, and a quorum of the House present.

On motion by Mr. Mathias,
The House adjourned, in pursuance of the concurrent resolution of yesterday, to meet again at the Shawnee Manual Labor School, in the Territory of Kansas, on Monday, the 16th day of July, A. D. 1855.

MONDAY MORNING, JULY 16, 1855.

The House met, pursuant to adjournment.

The journal of Friday, July the 6th, was read, corrected, and approved

Mr. McMeekin asked for the call of the roll.
Present—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskill, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, and Mr. Speaker.
Absent—Messrs. Houston, Scott, Tebbs, and Wade.
Sick—Mr. McGee.

Mr. Anderson, from committee on Governor's message, asked further time to report.
Granted.
On motion by Mr. Mathias,

Resolved, That H. C. Pate, Esq., of the Frontier News, be allowed a seat within the hall of this House, as reporter for that paper.

On motion by Mr. Anderson,
Mr. Finley was allowed a seat within the hall of this House, as reporter for the St. Louis Democrat.
On motion by Mr. Mathias,

Resolved, That the Secretary of the Territory of Kansas be and he is hereby required to furnish stamped envelopes for the use of the members of this House, and that he be and is hereby authorized and required to pay to the postmaster at Westport, Missouri, all the pamphlet and paper postage that may acrue to said postmaster by the sending away of papers and pamphlets through the post office at Westport, Missouri, by members of this House.

Read, and laid over until to-morrow.
On motion by Mr. Mathias,
The House adjourned.

EVENING SESSSION.

House met, pursuant to adjournment.

On motion by Mr. Anderson,
Mr. James Redpath, stenographer of St. Louis Democrat, was admitted to a seat in the hall of this House.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed to inform the House of Representatives, that there has been introduced into and passed the Council a bill entitled an act to provide for the safe keeping of persons under arrest, convicted of, or charged with, criminal offenses against the laws of the United States.

On motion by Mr. Whitlock,

Resolved, That this House immediately go into an election for a chaplain for the House during the present term of the Legislature.

Mr. Marshall called for the roll of the House.
Present—Mesrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskill, Johnson, Kirk, Marshall, Mathias, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, and Mr. Speaker.
Absent—Messrs. Houston, McGee, McMeekin, and Payne.

The question being upon the final passage of the resolution for the election of chaplain,
The vote was taken, and decided in the affirmative.
The Chair announced that nominations for chaplain were in order.
Mr. Whitlock nominated Rev. John T. Peery.
No other nominations being made,
On motion by Mr. Anderson,
Mr. Peery was declared unanimously elected chaplain to the House.

Mr. Marshall gave notice that at some future day he would introduce bills of the following titles:

An act for the collection of poll tax and the qualifications of voters.

Also, a bill declaring Big Blue River, in Kansas Territory, a public highway, and to prohibit obstructions by dams and bridges.

Also, a bill requiring citizens emigrating to Kansas Territory from Massachusetts, or any other State which may hereafter nullify the laws of the United States, to take an oath of allegiance to support the constitution and laws of the United States and the laws of Kansas Territory.

Mr. Mathias moved the suspension of the rule, and that Council bill be taken up and read a second time.

Agreed to.

Mr. Marshall moved that the bill be considered as engrossed.

Motion withdrawn.

On motion by Mr. Mathias,

The bill was referred to a select committee of three members.

Whereupon,

The Chair appointed Messrs Mathias, Wilkinson, and Younger as said committee.

On motion by Mr. Marshall,

Resolved, That the Secretary of the Territory be authorized to subscribe for newspapers for the use of the House, not to cost exceeding the amount of —— dollars.

Read and laid over.

On motion by Mr. Tebbs,

Resolved, By the House of Representatives of Kansas Territory assembled, that any reporter of any newspaper who has been granted the privilege of reporting the proceedings of this House, shall confine himself strictly to a report of our proceedings in business only, and shall not be allowed to traduce and villify its members, (as has been done by some newspaper reporters heretofore); and such reporter thus offending shall be immediately thereupon expelled the lobby.

On motion,

Mr. Wilkinson offered the following as a substitute:

Resolved, By the House of Representatives of Kansas Territory assembled, that any person who has been or shall be a reporter of any newspaper, and has been or may be granted the privilege of reporting the proceedings of this House, shall not be allowed to traduce and villify its members; and such reporters thus offending shall be immediately thereupon expelled.

Question being upon adoption of substitute,

The vote was taken, and the substitute lost.

On motion by Mr. McMeekin,

The original motion was laid upon the table.

Mr. Mathias gave notice of his intention to introduce a bill entitled

An act to prevent the sale of intoxicating liquors and games of chance within one mile of the Shawnee Manual Labor School, in the Territory of Kansas.

Mr. Blair gave notice of his intention to introduce, at some future day, bills of the following titles:

An act to establish a State or Territorial road form the west bank of the Missouri river, opposite St. Joseph in Missouri, to Marysville, Kansas Territory.

Also, an act to locate and establish a territorial road from the west bank of the Missouri river, opposite St. Joseph, Missouri, to Fort Riley. in Kansas Territory.

Also, an act to locate or establish a territorial road from Doniphan, on the Missouri river, to Iowa Point, both points being in the Territory of Kansas.

On motion by Mr. Waterson,

The House adjourned.

TUESDAY MORNING, JULY 17. 1855.

House met pursuant to adjournment.

Prayer by Rev. Mr. Peery, Chaplain.

Journal of yesterday read and approved.

The Chair announced the appointment of the following Standing Committees:

On Judiciary and Criminal Jurisprudence,
Mathias, Anderson, Marshall, Browne and Williams.

On Finance,
Hieskell, Wilkinson, McMeekin, Ward and Scott.

On Education,
Waterson, Harris, Payne, Johnson and Younger.

On Militia,
Marshall, Wade, Whitlock, Weddle and Kirk.

On Seat of Government,
Tebbs, Croysdale, Kirk, McMeekin and McGee.

On Elections,
Anderson, Blair, Houston, Scott and Johnson.

On Accounts,
Weddle, Browne, Whitlock, Tebbs and Wilkinson.

On Engrossed Bills,
Anderson, Browne, Mathias, Wilkinson and Hieskell.

On Public Printing,
McMeekin, Williams, Croysdale, Kirk and Banks.

On Federal Relations,
Tebbs, Anderson, Houston, Waterson and Browne.

On Public Buildings,
Waterson, Williams, Johnson, Ward and Croysdale.

On Roads and Highways,
Harris, Mathias, Kirk, Browne, and Anderson.

On Agriculture,
Banks, Ward, Whitlock, Hieskell and Payne.

On Bounds of Counties and Districts,
Williams, McMeekin, Kirk, Younger and Johnson.

On Enrolled Bills,
Anderson, Browne, Mathias, Wilkinson and Hieskell.

Mr. Anderson Chairman of the Committee to whom was referred the distribution of the various subjects contained in the Governor's Message, to appropriate committes, made the following report:

The Select Committee to whom was referred the distribution of the various subjects contained in the Governor's Message to appropriate committees, respectfully report

That so much as refers to the creating and defining of counties and boundaries, be referred to the Committee on Bounds of Counties and Districts.

So much as refers to the census of the Territory, be referred to the Committee on Elections.

So much as refers to the regulations for holding elections and qualfications of voters, be referred to the Committee on Elections.

So much as refers to the division of the Territory into Judicial Districts and to County Courts, and other officers, be referred to the Committee on Judiciary and Criminal Jurisprudence.

So much as refers to selling liquors to Indians, be referred to the Committee on Judiciary and Criminal Jurisprudence.

So much as refers to Education, to the Committee on Education.

So much as refers to the levying and collecting taxes, to the Committee on Finance.

So much as refers to location of permanent seat of Government, to the Committee of the whole House.

And so much as refers to the Militia, be referred to the Committee on Militia.

And that the remainder of the Message, not herein specifically referred, be referred to a select Committee.

All of which is respectfully submitted,
JOSEPH C. ANDERSON, Chairman.

On motion by Mr. McMeekin,
The report was adopted.

Mr. Mathias, Chairman of the Select Committee to whom was referred Council bill entitled An act to provide for the safe keeping of persons under arrest, convicted of, or charged with criminal offenses against the laws of the United States, reported a bill of the same title, as a substitute for Council bill, and recommended its passage.

On motion by Mr. Anderson,

The rule was suspended and the bill read a second time.

Mr. Anderson offered the following amendments to the bill.

Amend after the words "Laws of the United States within the Territory aforesaid," and insert the words "and the laws of the territory," so as to read "Laws of the United States within the Territory aforesaid, and the laws of the Territory."

On motion by Mr. Anderson,
The rule was suspended, and the amendment read a first and second time and agreed to.

Mr. Mathias offered the following amendment:
Amend by adding at the end of section 1st, "Provided that the proper authorities of the said State, shall permit the said officer or officers so to do,"
The amendment was read first time, the rule was suspended, and amendment read a second time and agreed to.

Mr. Speaker Stringfellow,
(Mr. Anderson in the Chair,)
Moved that the bill and amendment be recommitted, and referred to the the Committee on the Judiciary and Criminal Jurisprudence.

The ayes and noes being called for by Mr. Mathias,
The bill and amendments were recommitted, and referred by the following vote:

AYES—Messrs. Anderson, Banks, Blair, Croysdale, Harris, Hieskell, Kirk McMeekin, Scott, Wade, Ward, Weddle, Williams, Wilkinson, and Mr. Speaker—15.
NOES—Messrs. Johnson, Mathias, Payne, Tebbs, Waterson and Younger —6.
ABSENT—Messrs. Browne, Houston, Marshall, McGee and Whitlock—5

On motion by Mr. Mathias,
The resolution introduced by him on yesterday, requiring the Secretary of the Territory to furnish stamped envelopes and to pay postage on all pamphlets and papers sent from the post-office at Westport, Missouri, by the members of this House, was taken up by the House and read a second time.

On motion by Mr. Waterson,
The resolution was amended so as to include the Clerks and other officers of the House.

On motion by Mr. Wade,
The blank in the resolution was filled by "one thousand" being inserted.
The question being upon the adoption of the resolution as amended,
It was adopted.

The resolution introduced by Mr. Marshall on yesterday requiring the Secretary of the Territory to subscribe for newspapers for the use of the members, not to exceed the amount of $—

Was taken up by the House, and read a second time.
Mr. Speaker,
(Mr. Anderson in the Chair,)
Moved that the blank be filled up with "five," so as to read "five dollars,"
Agreed to.

Mr. Mathias moved
That the resolution be amended by adding the words "for each member of the House," so as to read "five dollars for each member of the House."
Agreed to.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following concurrent resolution has been introduced into, and adopted by the Council:

Resolved, By the Council, the House of Representatives concurring therein, that a joint committee consisting of three members of the Council and five of the House of Representatives, be appointed to devise and report a plan for the immediate formation of a Code of Laws for said Territory.
To which the concurrence of the House is respectfully requested.

On motion by Mr. Wilkinson,

Resolved, That a committee of three be appointed by the House to wait on the Governor and request of him such books and documents which are in his possession, and designed for the use of the House,

Whereupon the Chair appointed
Messrs. Wilkinson, Harris and Hieskell, as said committee.

Mr. Mathias introduced a bill of the following title:

An act to prevent the sale of intoxicating liquors, and games of chance within one mile of the Shawnee Manual Labor School, in the Territory of Kansas.
The bill was read the first time.
The rule suspended and bill read a second time.
And the rule again suspended and bill read a third time and passed.

Mr. Speaker moved
A reconsideration of the vote upon the passage of the bill,
Which was agreed to.

The question being upon the passage of the bill,
Mr. Speaker,
(Mr. Anderson in the Chair,)
Called for the ayes and noes.

The vote stood as follows:

Ayes.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Hieskill, Johnson, Kirk, Mathias, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Younger and Mr. Speaker—21.

Noes.—Messrs. Harris and Wilkinson—2.

Absent—Messrs. Houston, Marshall and McGee.

So the bill passed.

Mr. Wilkinson moved an adjournment,
Which was lost.

Mr. Wade gave notice of his intention at some subsequent day to introduce bills of the following titles:

A bill to establish a Territorial road from Leavenworth City to Lawrence, and thence to the Santa Fe road at the town of Salem.
Also,
An act to provide against the traffic in ardent spirits with the Indians.
Also,
An act to provide for the punishment of offences against the public health.
Also,
An act concerning debtors and their securities.
Also,
An act relating to estrays.
Also,
An act to prevent stallions in certain cases from running at large.

On motion by Mr. Johnson,
The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the following acts have been introduced into the Council:

An act to establish Probate Courts and to define their powers and jurisdictions.
An act to incorporate the Mount Aurora Cemetery and Town Association.
An act to establish the office of County Treasurer.
An act to establish the office of County Recorder.
An act concerning Attorneys at Law.
An act in relation to County organizations, powers and privileges.
An act to incorporate the Leavenworth, Pawnee and Western Railroad Company.

An act regulating the erection of County Buildings.
An act regulating oaths, and prescribing the forms of oaths of office.

On motion by Mr. Weddle,

Resolved, That whenever a bill shall be introduced into the House, notice of such introduction shall be communicated to the Council.

On motion by by Mr. Waterson,

Resolved, That a committee of three be appointed by the Chair, whose duty it shall be to take into consideration the propriety of a general bill on Incorporations, and to report a bill of that character to the House at its earliest convenience. Said committee to be styled Committee on Corporations.

Whereupon the Chair appointed
Messrs. Waterson, Marshall and Hieskell, as the committee.

Mr. Johnson gave notice that he would on to-morrow, or some subsequent day, introduce bills of the following titles:

A bill to establish a Territorial road from the Territorial line near Westport, Missouri, by the way of Joseph Parks', Shawnee Manual Labor School and Delaware Ferry, to Fort Leavenworth, Kansas Territory.
Also,
A bill to establish a Territorial road from the Shawnee Methodist Church by way of Blue Jacket's, on the Wakarusa and Big Springs, to Tecumseh, in Kansas Territory.

On motion by Mr. Anderson,
The concurrent resolution of the Council was taken up by the House,
It was read first time, and
On motion of Mr. Anderson,
The rule was suspended, and the bill read a second time, and concurred in.
Whereupon, the Chair, in accordance with the above resolution, appointed Messrs. Anderson, Browne, Mathias, McMeekin and Tebbs, as the committee on the part of the House to devise and report a plan for the immediate formation of a Code of Laws for Kansas Territory.

Mr. Williams introduced a bill entitled

An act to provide for the collection of demands growing out of contracts for sale of improvements on public lands,
Which was read first time.

Mr. Williams also introduced a bill entitled,
An act to prevent trespass or other injuries to the possessions of original settlers,
Which was read first time.

Mr. Marshall introduced a bill entitled,
An act in relation to the qualification of voters, and the collection of a poll tax in the Territory of Kansas,
Which was read first time.

Mr. Kirk gave notice that on to-morrow or some subsequent day, he would introduce a bill entitled,

An act for securing liens to mechanics and others,

Message from the Council by Mr. Rees, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House that bills of the following titles have been introduced in the Council,

An act regulating Marriages.
An act for securing liens to mechanics and others.
An act to locate certain Territorial roads from the Missouri State line to Fort Atkinson.

Mr. Wilkinson from the committee appointed to wait on Gov. Reeder, reported
That the Governor had no documents for the use of the Territory, but that he had documents-belonging to the Executive, which the House could obtain.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed House bill entitled,

An act to prevent the sale of intoxicating liquors and games of chance within one mile of the Shawnee Manual Labor School, in the Territory of Kansas.

On motion by Mr. Wilkinson,

Resolved, That the Sergeant-at-Arms be requested to wait on Gov. Reeder and receive any Public Books which he may have in his possession for the use of the Territory.

Mr. Banks moved an adjournment,
Which motion was lost.

Mr. Wilkinson moved an adjournment.

Mr. Johnson called for the ayes and noes.
The vote stood as follows:
AYES—Messrs. Anderson, Banks, Harris, McMeekin, Ward, Waterson, Williams and Wilkinson—8.
NOES—Messrs. Blair, Browne, Croysdale, Johnson, Kirk, Marshall, Payne, Scott, Tebbs, Wade, Weddle, Whitlock and Younger—13.
Absent—Messrs: Houston, Mathias, McGee and Mr. Speaker—4.
So the motion was lost.

Mr. Marshall presented
The petition of Louis Trombly, in reference to the bridge across Vermillion Branch of Big Blue river,

Which was, on his motion,
Referred to the Committee on Roads and Highways.

Mr. Mathias moved an adjournment.

Mr. Wilkinson called for the ayes and noes.

The vote was as follows:

AYES.—Messrs. Anderson, Hieskell, Mathias, McMeekin, Ward, Waterson, Weddle, Williams and Mr. Speaker—9.
NOES.—Messrs. Banks, Blair, Browne, Croysdale, Harris, Johnson, Kirk, Marshall, Payne, Scott, Tebbs, Wade, Whitlock, Wilkinson and Younger—15.
Absent—Messrs. Houston and McGee—2.
So the motion was lost.

Mr. Mathias moved
That the Sergeant-at Arms be sent after Mr. Browne,
Which was lost.

On motion by Mr. Speaker,
(Mr. Anderson in the Chair,)
The House adjourned until 9 o'clock to-morrow morning.

WEDNESDAY MORNING, JULY 18, 1855.

The House met, pursuant to adjournment.

Prayer was offered by Rev. Mr. Peery, chaplain.
Journal of yesterday was read, corrected, and approved.

Mr. Kirk presented the petition of William Jackson, Geo. A. Ringo, L. L. Boles, S. C. Glenn, and others, on the part of the mechanics of Atchison, in relation to the passage of the lien law of the State of Missouri, or some one of the similar provisions for the benefit of mechanics.
Which was read, and, on his motion, referred to the committee on judiciary and criminal jurisprudence.

Mr. Blair presented the petition of Henry Thompson, in relation to the establishment of a steam ferry on the Missouri river, opposite St. Joseph, in Missouri, to ply between the city of St. Joseph and his own land, opposite; which petition is signed by R. M. Stewart, John A. Doleman, John S. Leonard, James O. Doniphan, and others.
Which was read, and, on his motion, referred to a select committee.
Whereupon,
The Chair appointed as said committee Messrs. Blair, Waterson, and Scott.

On motion by Mr. Anderson,

The rules were suspended, and a committee on enrolled bills was appointed.

The Chair appointed the same committee as on engrossed bills.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled a bill of the following title:

An act to prevent the sale of intoxicating liquors and games of chance within one mile of the Shawnee Manual Labor School, in the Territory of Kansas.

On leave, Mr. Anderson introduced a bill of the following title:

An act to provide for the qualification of voters, and to prevent the propagation of sentiments detrimental to the peace and quiet of the Territory.

Read first time.

The bill was objected to by Mr. Wilkinson.

The question being upon the rejection of the bill,

The bill was received by the following vote, the ayes and noes having been called for by Mr. Weddle:

Ayes.—Mr. Wilkinson.

Noes.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskill, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Younger, and Mr. Speaker—24.

Absent, Mr. Houston.

Mr. Kirk introduced a bill of the following title:

An act for securing liens to mechanics and others.

The bill was read the first time, and,

On motion by Mr. Harris,

The rule was suspended, and bill read a second time, and referred to the committee on judiciary and criminal jurisprudence.

Mr. Wilkinson asked leave of the House to change his vote upon the reception of House bill introduced by Mr. Anderson, on the ground of misapprehension.

Which was granted.

Mr. Browne, on leave, introduced a bill of the following title:

An act to prevent trespass on the possessions of settlers on the public lands.

Read a first time.

The House bill entitled an act to provide for the collection of demands growing out of contracts for the sale of improvements on public lands, was taken up and read a second time, and,

On motion by Mr. Anderson,

Was referred to the committee on judiciary and criminal jurisprudence.

Also, the House bill entitled an act to prevent trespass, or other injuries to the possessions of original settlers.

Was taken up, read a second time, and,

On motion by Mr. Anderson,

Referred to the committee on judiciary and criminal jurisprudence.

Also, House bill entitled an act in relation to the qualifications of voters, and the collection of a poll tax in the Territory of Kansas.

Was taken up, and read a second time, and,

On motion by Mr. Marshall,

Referred to the committee on elections.

Mr. Harris gave notice that he will on to-morrow, or some future day, introduce a bill entitled an act authorizing T. C. Shoemaker, Janet Todd, and S. D. Pitcher, to establish a ferry across the Missouri river, at the town of Leavenworth.

Mr. Payne gave notice that on to-morrow, or some subsequent day, he would introduce bills of the following titles:

An act to declare a certain road from Leavenworth City to Osawkee, *via* Alexandria and Ogdensburgh, a public highway.

Also, an act to authorize Aulay Mackaulay, James Davis, and S. N. Latta, their heirs and assigns, to establish a ferry across the Missouri river, at the town of Leavenworth, in the Territory of Kansas.

Message from the Council, by Mr. Grover, a member:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives, that a bill has been introduced into and passed the Council entitled an act to incorporate a ferry at the town of Kickapoo, in the Territory of Kansas.

The Council bill was read a first time, and,

On motion by Mr. Weddle,

The rule was suspended, and bill read a second time, and,

On motion by Mr. Harris,

The rule was suspended, the bill read a third time, and passed.

Mr. Wade introduced a bill of the following title:

An act concerning estrays.

Read a first time.

Mr. Johnson gave notice that he would on to-morrow, or some subsequent day, introduce a bill of the following title:

An act to establish a territorial road, commencing at the territorial line, near the House of Samuel McKinney, thence by the way of Richard McCamish's on Bull creek, thence by the town of Salem at Hickory Point, thence by the way of Willow Springs, thence by McGee's on the One Hundred and Ten creek, thence by Washington, on the One Hundred and Forty-two creek, thence by A. J. Baker's, on Rock creek, to Council Grove.

Mr. Croysdale gave notice of his intention to introduce bills of the following titles:

An act to establish a territorial road from the point where the Atchison, Kickapoo and Leavenworth roads converge, by way of Tecumseh, to intersect the Santa Fe road at 110.

Also,

An act to charter a Ferry at Tecumseh.

On leave,

Mr. Kirk introduced a bill of the following title:

A bill to establish a Ferry at Lewis' Point in Kansas Territory.
The bill was read first time, and
On motion by Mr. Kirk,
The rule was suspended and the bill read a second time, and
On motion by Mr. Mathias,
Was referred to Committee on Roads and Highways.

Mr. Wilkinson moved

That the Chairman of the Committee on the Judiciary be required to report

Council bill entitled

An act to provide for the safe keeping of persons under arrest, convicted of, or charged with criminal offences against the laws of the United States.

Mr. McMeekin called for the ayes and noes.

The vote stood as follows:

AYES—Messrs. Banks, Blair, Harris, Payne, Wade, Waterson, Weddle. and Mr. Speaker—9.

NOES—Messrs. Anderson, Browne, Hieskill, Johnson, Kirk, Marshall. Mathias, McGee, McMeekin, Scott, Tebbs, Ward, Whitlock, Williams and Younger—15.

Absent—Messrs. Croysdale and Houston—2.

So the motion was lost.

Mr. Wilkinson moved,

That the name of Mr. Speaker. Stringfellow, (Mr. Anderson being in the Chair) be stricken from the ballot on last vote, for voting outside of the Bar of the House.

The Chair excused the member.

Mr. Wilkinson appealed from the decision of the Chair.

The question then was

Shall the Chair be sustained?

Mr. Wilkinson called for the ayes and noes.

The vote stood as follows:

AYES—Messrs. Banks, Blair, Browne, Croysdale, Harris, Hieskell. Johnson, Kirk. Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade Ward, Waterson, Weddle, Whitlock, Williams and Younger—22.

NOES—Mr. Wilkinson—1.

ABSENT—Mr. Houston—1.

NOT VOTING—Mr. Speaker—1.

Mr. Anderson was excused from voting.

Mr. Wilkinson asked leave to change his vote,

Which was granted.

So the Chair was unanimously sustained.

On motion by Mr. Mathias,

The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

On leave, Mr. Speaker, Stringfellow, (Mr. Anderson in the Chair) introduced a bill of the following title:

An act to establish a Ferry across the Missouri River at the Town of Atchison.

The bill was read a first time, the rule suspended and bill read a second time, and

Mr. Speaker Stringfellow moved

That the bill be considered engrossed, the rule suspended, and the bill be read the third time.

Mr. Waterson called for the ayes and noes.

The vote stood as follows:

AYES—Messrs. Anderson, Banks, Browne, Croysdale, Harris, Johnson, Kirk, Marshall, McMeekin, Payne, Scott, Wade, Ward, Weddle, Williams, Wilkinson, Younger and Mr. Speaker.—18.

NOES—Messrs. Blair, Hieskell, Mathias, McGee, Tebbs and Waterson—6

ABSENT—Mr. Houston—1.

Mr. Whitlock was excused from voting.

So the rule was suspended, bill considered engrossed, read a third time and passed.

Message from the Council, by Mr. Halderman, Chief Clerk.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that enrolled House bill entitled,

An act to prevent the sale of intoxicating liquors, and games of chance, within one mile of the Shawnee Manual Labor School, in the Territory of Kansas, has been signed by the President of the Council.

Mr. Wade introduced bills of the following titles:

An act to prevent stallions in certain cases from running at large.

Read first time.

Also,

An act to provide for the punishment of offences against the public health.

Read first time.

Mr. Williams asked leave of absence for his colleague, Mr. Anderson, for two days,

Which was agreed to.

Mr. Wilkinson gave notice that on to-morrow, or some future day, he would introduce a bill of the following title:

An act to permanently locate the Capital of the Territory of Kansas.

On motion by Mr. Wade,

Resolved, That the Sergeant-at-Arms be instructed not to allow smoking in the House while the House is in session.

Mr. Marshall gave notice of his intention on to-morrow to introduce a bill entitled,
An act to grant a charter to the Lecompton Bridge Company.

Mr. Marshall offered the following resolution,
Which was adopted:

Resolved, That the Sergeant-at-Arms of this House be and is hereby instructed to request the Governor to send to this House a copy of the acts of Congress, passed in 1850, and also request the Governor to send to this House (if he has them) a copy of the laws of Massachusetts, passed in the year 1855, for the use of the members.

Mr. Wade was granted leave of absence for one day.

Mr. Mathias gave notice of his intention on to-morrow or some subsequent day to introduce bills of the following titles:
An act to grant to F. J. Marshall and Albert C. Woodward, trading under the firm and style of Marshall & Woodward, a charter to keep a Ferry at the crossing of the great military road leading from California over the Big Blue River.
Also,
An act to grant a charter to the same company at the crossing of the Independence and California road over the same river.

Message from the Council, by Mr. Halderman, Chief Clerk.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been introduced into the Council.
An act concerning apprentices.
An act licensing and controlling auctioneers.

Mr. Waterson gave notice of his intention on to-morrow or some future day of the session, to introduce bills of the following titles:
An act to establish a territorial road from the west bank of the Missouri river, opposite St Joseph, Mo., by way of Whitehead and the great Nemaha agency, to a point on the Great Nemaha river.
Also,
An act to establish a territorial road commencing on the west bank of the Missouri river, opposite Boston, Mo., by way of Smithton, to intersect the California road at or near the Half-way Grove.

On motion by Mr. Marshall,
The House adjourned.

THURSDAY MORNING, July 19, 1855.

The House met pursuant to adjournment.

The Speaker *pro. tem.* in the chair.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read, corrected, and approved.

Mr. Kirk presented
The Petition of Henry Adams, Robt. S. Kelley, J. H. Blassingame, W. S. Dykes, D. McVay and others, for the establishment of a Ferry at the town of Atchison, to be owned by Messrs. Million, Burns & Brothers.

Mr. Harris, Chairman of the Committee on Roads and Highways, to whom was referred House bill No. 5, entitled
An act to establish a Ferry at Lewis' Point, in Kansas Territory,
Reported the bill back and recommended its passage.
The bill was then read a third time and passed.

The Committee on Corporations, of which Mr. Waterson is Chairman, made the following report:

Mr. Speaker:

The Committee on Corporations to whom was referred business connected with corporate bodies, beg leave to report the following bills for the action of the House, and recommend their passage.
An act concerning Corporations.
An concerning the Incorporation of towns.

WATERSON,
HIESKELL,
MARSHALL, } Committee.

On motion
The report was received.
After which
The bills reported by the committee were read the first time.

Mr. Mathias, Chairman of the Committee on Judiciary and Criminal Jurisprudence to whom was referred the Council bill No. 1, entitled
An act to provide for the safe keeping of persons under arrest, convicted of, or charged with criminal offences against the laws of the United States, together with the House substitute, and amendments,
Reported, that in the opinion of the Committee, no such power as contemplated by the original bill and also the substitute, is vested in this Legislature, and recommend its rejection.
He also gave notice
That at some future day the Committee would introduce a bill to provide r the safe keeping of persons convicted of [illegible] ith criminal offences

against the Laws of the United States and the Territory of Kansas, within the said Territory.

And the committee to whom also the House bill was referred, entitled
An act to provide for the collection of demands growing out of contracts for the sale of public lands,
Reported a substitute to said bill.
A division of the report being called for,
The report, as divided, was adopted.

The substitute offered by the Committee
Was then read first time.

Mr. Blair, from the Select Committee to whom was referred the Petition of Henry Thompson and others, praying the establishment of a Ferry on the Missouri river at Thompson's Landing, opposite St. Joseph, in Missouri,
Reported a bill of the following title and recommended its passage:
An act to establish a Ferry at Thompson's Landing in the Territory of Kansas, opposite the city of St. Joseph, in Missouri.
The bill was read the first time.

Mr. Blair moved
That the rules be suspended, and the bill read a second time.
The rule being that two thirds of the House shall concur in the suspension of rules,
The motion was lost by the following vote,

The ayes and noes having been called for by Mr. Waterson.

AYES.—Messrs. Anderson, Blair, Browne, Croysdale, Johnson. Kirk, Marshall, Scott, Waterson, Williams, Younger and Mr. Speaker—12.
NOES.—Messrs. Banks, Harris, Hieskill, Mathias, McGee, McMeekin, Payne, Tebbs, Ward, Weddle, Whitlock and Wilkinson—12.

Mr. Anderson gave notice of his intention at some future time to introduce bills of the following titles:

An act concerning Marriage Contracts.
Also,
An act regulating Marriages.

On leave,
Mr. Wilkinson introduced a bill of the following title:
A bill declaring certain roads, Public Highways.
Read a first time.

On leave,
Mr. Tebbs introduced a bill of the following title:
An act to establish a Ferry at the town of Calhoun, on the Kansas river.
Read the first time.

Mr. Johnson introduced
A bill of the following title:
An act to declare the Santa Fe road, a Territorial road,
Which was read the first time.

Mr. Marshall introduced
A bill of the following title:
An act to incorporate the Lecompton Bridge Company.
Which was read the first time.

Mr. Harris introduced
A bill of the following title:
A bill to establish a Ferry at the town of Leavenworth.
The bill was read the first time.

Mr. Mathias introduced
A bill of the following title:
An act to grant to F. J. Marshall and Albert G. Woodward exclusive privilege to establish a Ferry across Big Blue river at the crossing of the great Military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road, across the same river.
Which was read the first time.
On leave
Mr. Harris introduced a bill of the following title:
A bill for the divorce of John W. Freeland, from his wife, Rebecca Freeland,
Which was read the first time.

Mr. Younger gave notice of his intention on to-morrow or some subsequent day to introduce bills of the following titles:
A bill to establish a Territorial road from the Missouri State line, near Westport, to Cofachiqui, by the way of Ballard's and Taylor's Ford on the Maridecyne, and the Catholic Mission on Big Sugar Creek.
Also,
An act granting Ballard and Taylor the privilege to establish a Ferry across the Maridecyne, and to have the exclusive privilege for two miles up and down said river, and fees to be regulated by the Court.
Also,
A bill to establish a road from some point near Westport Missouri, to Fort Scott, by the way of Wea Mission, Miami Mission, and Ballard & Taylor's Ford on the Maridecyne.

Mr. Croysdale gave notice of his intention to introduce on to-morrow or some future day, bills of the following titles:
An act to provide for the election of such District, Township and County officers as may be created by the laws of this Territory.
Also.
An act to regulate the practice of Medicine, in Kansas Territory.
Also,
An act to organize a Medical University in Kansas Territory.
An act to incorporate the town of Tecumseh.

Mr. Payne introduced
A bill of the following title:
An act to authorize Aulay Macaulay, James Davis, and Samuel N. Latta, to establish and keep a Ferry across the Missouri river at the town of Leavenworth, in the Territory of Kansas.
Which was read the first time.
Mr. Marshall introduced

A bill of the following title;
An act declaring the Big Blue river a Public Highway.
Which was read the first time.

Mr. Mathias gave notice of his intention on to-morrow or some subsequent day to introduce
A bill of the following title:
An act to regulate marks and brands in Kansas Territory.

House bill No. 1, entitled
An act to provide for the qualification of voters, and to prevent the propagation of sentiments detrimental to the peace and quiet of the Territory of Kansas,
Was taken up and read a second time, and
On motion by Mr. Marshall,
Referred to the Committee on Elections.

House bill No. 3, entitled
An act to prevent trespass on the possessions of settlers on the Public Lands,
Was then taken up, read a second time, and
On motion by Mr. Browne,
The bill was considered engrossed and ordered to be printed.

Message from the Council, by Mr. Halderman, Chief Clerk.

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that House bill entitled
An act to establish a Ferry across the Missouri River at the Town of Atchison, in Kansas Territory, has passed the Council.
And also,
That bills of the following titles have been introduced into the Council:

An act to restrain intercourse with the Indians.
An act regulating the granting of Injunctions.
An act respecting Executors and Administrators.
And also
That the following members have been appointed by the Council to act in conjunction with the House Committee, to devise a plan for the formation of a Code of Laws for the Territory of Kansas, Messrs. McDonald, Richardson and Coffey.

House bill No. 4, entitled
An act concerning Estrays,
Was taken up and read a second time.

Also,
House bill No. 7, entitled,
An act to prevent Stallions in certain cases, from running at large,
Was taken up and read a second time.
Also,
House bill No. 8, entitled,

An act to provide for the punishment of offences against the Public Health,
Was taken up and read a second time, and
On motion by Mr. Anderson,
Referred to the committee on Judiciary and Criminal Jurisprudence.

Mr. Croysdale moved
That the House adjourn until 2 o'clock to-morrow evening,
Which was lost by the following vote:
The ayes and noes being called for by Mr. Kirk;

AYES—Messrs. Browne, Croysdale, Harris, Marshall, Mathias, McMeekin, Weddle, Whitlock and Williams—9.

NOES—Messrs. Anderson, Banks, Blair, Hieskell, Johnson, Kirk, McGee, Payne, Scott, Tebbs, Ward, Waterson, Wilkinson Younger and Mr. Speaker—15.

Mr. Waterson moved
That the House adjourn until 4 o'clock this evening.

Mr. Anderson moved
To substitute 8 o'clock to-morrow morning.

Mr. Mathias moved
As a substitute to Mr. Anderson's substitute, that the House adjourn until 3 o'clock, P. M. to-morrow.
Which was lost.

Mr. McGee moved
An adjournment to the regular hour this evening,
Which was agreed to.

EVENING SESSION.

The House met, pursuant to adjournment.

Mr. Anderson, Chairman of the Committee on Enrolled bills, reported as truly enrolled
House bill No. 6, entitled
An act to establish a Ferry at the town of Atchison, in Kansas Territory.

Message from the Council by Mr. Rees, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed bills of the following titles:

An act respecting executors and administrators.
An act to incorporate the Mount Aurora Cemetery and town Association.

An act in relation to County organizations, powers and privileges.
A bill to incorporate the city of Leavenworth.
An act regulating the erection of County buildings.
An act to incorporate the Leavenworth, Pawnee and Western Railroad Company.
An act concerning apprentices.

Message from the Council by Mr. Halderman, Chief Clerk :

Mr. Speaker :

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled House bill entitled,

An act to establish a Ferry at the town of Atchison, in Kansas Territory.

Council bill entitled
An act respecting executors and administrators,
Was taken up and read the first time.
Also,
Council bill entitled
An act regulating the erection of County buildings,
Was taken up, and
On motion by Mr. Anderson,
Was read a first time by its title.

Message from the Council by Mr. Rees, a member :

Mr. Speaker :

I am instructed by the Council to inform the House that bills of the following titles have been introduced in the Council,

An act regulating the authentication of statutes, and taking effect of laws,
An act adopting the Common law, as the rule of action in this Territory.

Message from the Council, by Mr. Grover, Assistant Clerk :

Mr. Speaker :

I am instructed by the Council to inform the House of Representatives that a bill has passed the Council of the following title:

An act to provide for the recovery of debts by attachment.

Council bill entitled
An act to incorporate the Leavenworth, Pawnee and Western Railroad Company,
Was taken up, and
On motion by Mr. Mathias,
Was read a first time by its title.

Also, Council bill entitled
An act in relation to County organizations, powers and privileges.
Was taken up and read a first time.
Also,

Council bill entitled
An act concerning apprentices,
Was taken up, and
On motion by Mr. Anderson,
Was read first time by its title:

Also,
Council bill entitled
An act to incorporate the Mount Aurora Cemetery and Town Association,
Was then taken up, and
On motion by Mr. Anderson,
The bill was read first time by its title.

Also,
Council bill entitled
A bill to incorporate the city of Leavenworth,
Was taken up, and
On motion by Mr. Mathias,
Read the first time by its title.

Mr. Weddle gave notice that he would on to-morrow, or some subsequent day, introduce a bill of the following title:
An act to organize the County of Kearney in which Kickapoo city is situated.

Mr. Marshall gave notice of his intention on to-morrow or some subsequent day to introduce a bill of the following title:
An act to grant a charter to James Whitlock to keep a Ferry across the Kansas River, at the town of Lawrence.
On leave, Mr. Wilkinson introduced a bill of the following title:
An act to establish a Ferry across the Kansas river, at the town of Lawrence,
Which was read a first time.

Mr. Waterson introduced bills of the following title:
An act to establish a Territorial road from a point opposite St. Joseph, in Missouri, to the great Nemaha river,
Which was read first time.
Also,
An act to establish a territorial road from opposite Boston in Missouri, to a point on the California road, at or near the Half-way Grove in the Territory of Kansas.
Which was read a first time.

Mr. McGee gave notice that on to-morrow, or some subsequent day, the would introduce a bill of the following title:
An act to exempt from execution for debts, all negro property in Kansas Territory, except for taxes.

Mr. Banks gave notice that he would on to-morrow, or some subsequent day, introduce bills of the following titles:
An act to regulate the conditions and relations of slaves to their master.
Also,
An act to prohibit the settlement of free negroes and mulattoes in the Territory of Kansas.

On leave
Mr. Browne introduced a bill of the following title:

An act to establish a Ferry at the town of Douglas, on Kansas river,
Which bill was read the first time.

Mr. Payne gave notice that on to-morrow, or some subsequent day, he would introduce bills of the following titles:

An act respecting lost moneys and goods.
Also,
A bill to incorporate Leavenworth Lodge No. 150, Ancient Free and Accepted Masons.

On motion by Mr. Harris,
Leave of absence was granted to Mr. Tebbs, until Monday next.

On motion by Mr. Payne,
The House adjourned.

FRIDAY MORNING, JULY 20, 1855.

The House met pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Wilkinson presented
The petition of T. W. Tedford, H. J. Dingus, Thomas Hargus, Abner Hargus, James Wilson and others, praying the location of a road running from Fort Scott on the most direct route to Little Osage west of the mouth of Lost creek, thence on a dividing ridge to a ford on Little Sugar creek, at L. C. Nisewanger's, thence along the Indian trace to a crossing on Big Sugar creek, at the old Catholic Mission, thence to William Kirk's, thence to the crossing of Pottawatimie creek at Henry Sherman's, thence on the most direct route to the Willow Springs,
Which was read, and
On his motion,
Referred to the Committee on Roads and Highways.

Mr. Banks presented
The petition of William H. R. Lykins, Thomas Christian, Henry D. Graves James F. Long and others, praying the granting of a charter to John Baldwin, to keep a Ferry across the Kansas river at the Town of Lawrence,

Which was on his motion,
Referred to Committee on Roads and Highways.

Mr. Anderson, according to previous notice, introduced bills entitled,
An act concerning marriage contracts.
Which was read the first time.
Also
An act regulating marriages.
Which was read the first time.

Mr. Wilkinson, on leave, introduced a bill entitled,
An act establishing certain roads in the Territory of Kansas,
Which was read the first time, and
On his motion,
The rule was suspended, the bill read a second time and referred to the Committee on Roads and Highways.

Mr. Weddle, according to previous notice, introduced bills of the following titles:
An act to organize the County of Kearney, in which Kickapoo city is situated,
Which was read the first time.
Also,
A bill to establish certain territorial roads in Kansas Territory.
Which was read the first time.
Mr. Speaker, Stringfellow, (Mr. Anderson in the Chair,) moved that the bill be rejected,
Which was lost.
Mr. Speaker Stringfellow then called up the House bill No. 29, entitled,
An act to organize the County of Kearney, in which the city of Kickapoo is situated, and
Moved its rejection,
Which was carried.

Mr. Marshall, according to previous notice, introduced a bill of the following title:
An act to charter a Ferry at the Town of Lawrence, in Kansas Territory,
Which was read the first time.

Mr. Payne, according to previous notice, introduced bills of the following titles:
An act to incorporate the Leavenworth Lodge, No. 150, ancient free and accepted Masons,
Which was read the first time.
Also,
An act respecting lost moneys and goods.
Which was read the first time.

Mr. Browne, on leave, introduced a bill of the following title:
An act to view and mark out a road from 110, via Glendale and the town of Douglas, to intersect the military road from Fort Leavenworth to Fort Riley,
Which was read the first time.

Mr. Wade, according to previous notice, introduced a bill entitled:

An act concerning Debtors and their securities,
Which was read the first time.

Mr. Browne gave notice of his intention to introduce a bill entitled:
An act to view and mark out a road from the Willow Springs, on the Santa Fe road, via Glendale, to the Kansas river, at the most desirable point above or at the town of Tecumseh.

The House bill No. 9, entitled
An act concerning corporations,
Was taken up and read the second time, and
On motion by Mr. Hieskell,
Was ordered to be engrossed and ordered to be taken up on Monday next.
Also,
The House bill No. 10, entitled
An act concerning the incorporation of towns,
Was taken up and read a second time, and
On motion by Mr. Hieskell,
Was ordered to be enrgossed and
Made the special order for Monday next.
Also,
House bill No. 12, entitled
An act to establish a Ferry at Thompson's Landing in the Territory of Kansas, opposite the city of St. Joseph, in Missouri,
Was taken up and read a second time, and
On motion by Mr. Blair, the rule was suspended, considered as engrossed, and read a third time, by the following vote the ayes and noes having been called for by Mr. Wade:

Ayes—Messrs. Blair, Harris, Johnson, Kirk, Marshall, Mathias, Scott, Wade, Ward, Waterson, Weddle, Williams, Wilkinson, Younger and Mr. Speaker—15.
Noes—Messrs. Anderson, Banks, Browne, Hieskell, McGee, McMeekin, and Payne—7.
Absent—Messrs. Croysdale, Tebbs, Houston, and Whitlock—4.

The bill being then put upon its passage,
Was taken up and passed.

House bill No. 13, entitled,
A bill declaring certain roads public highways,
Was taken up and read a second time, and
On motion by Mr. Wilkinson,
The rule was suspended, the bill read a third time and passed.

House bill No. 14, entitled,
An act to establish a Ferry at the town of Calhoun, on Kansas river,
Was taken up, read a second time, and
On motion by Mr. Anderson,
Referred to the Committee on Roads and Highways.
Also
The substitute to House bill No. 11, entitled,
An act to provide for the collection of demands growing out of contracts for the sale of improvements on the public lands,

Was taken up, read a second time, and
On motion by Mr. And[illegible];
Was ordered to be engrossed.

House bill No. 15, entitled,
An act to declare the Santa Fe road a territorial road,
Was taken up, read a second time, and
On motion by Mr. Anderson,
Referred to the Committee on Roads and Highways.

House bill No. 16, entitled,
An act to incorporate the Lecompton Bridge Company.
Was taken up and read a second time, and
On motion by Mr. Marshall,
Referred to a select committee, consisting of
Messrs. Marshall, Browne and Anderson.

House bill No. 17, entitled
A bill to establish a Ferry at the town of Leavenworth,
Was taken up, read a second time, and
On motion by Mr. Harris,
Referred to a select committee, consisting of
Messrs. Mathias, McMeekin and Payne.
Also,
House bill No. 18, entitled,
An act to grant to F. J. Marshall and Albert G. Woodward exclusive privilege to established a Ferry across the Big Blue River, at the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road, across the same river,
Was taken up, read a second time, and
On motion by Mr. Anderson,
Referred to the Committee on Roads and Highways.

House bill No. 19, entitled:
A bill for the divorce of John W. Freeland from his wife, Rebecca Freeland,
Was taken up, read a second time, and
On motion by Mr. Harris,
The rule was suspended, the bill read a third time, and
On motion by Mr. Mathias,
Was referred to the Committee on Judiciary and Criminal Jurisprudence.

Message from the Council, by Mr. Grover, a member.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the Council has passed bills of the following titles:
An act concerning Inquests.
An act concerning Coroners.

Mr. Anderson asked and obtained leave to be excused from acting on the committee to whom was referred,
House bill No. 19, entitled

A bill for the divorce of John W. Freeland from his wife, Rebecca Freeland.

Mr. Wilkinson moved,
That the committee to whom was referred
House bill No. 19, entitled,
A bill for the divorce of John W. Freeland from his wife, Rebecca Freeland,
Be required to report by half-past two o'clock, this evening.
Mr. Anderson moved,
That the motion be laid on the table,
Which was decided in the affirmative.

Mr. Johnson, on leave, introduced a bill entitled:
An act to mark out and view a road from the eastern boundary line of the Territory of Kansas, near Westport, Jackson county, Mo., a part of the way, and to declare a part of the road as the present road which now runs to Fort Leavenworth, a territorial road,
Which was read first time.

House bill No. 20, entitled,
An act to authorize Aulay Macaulay, James Davis, and Samuel N. Latta, to establish and keep a Ferry across the Missouri river, at the town of Leavenworth, in Kansas Territory,
Was taken up, read a second time, and
On motion by Mr. Marshall,
Referred to a select committee.
On motion by Mr. Marshall,
The vote referring the bill was re-considered, and the original motion withdrawn.
On motion by Mr. Anderson,
The bill was referred to the Committee on Roads and Highways, by the following vote, the ayes and noes having been called for by him:

AYES—Messrs. Anderson, Blair, Browne, Hieskell, Marshall, Mathias, McMeekin, Payne, Scott, Wade, Ward, Whitlock and Williams—13.
NOES—Messrs. Banks, Harris, Johnson, Kirk, McGee, Waterson, Weddle, Wilkinson, Younger and Mr. Speaker—10.
Absent—Messrs. Croysdale and Houston—2.
Absent on leave—Mr. Tebbs.
Mr. Waterson moved,
That the House adjourn,
Which motion was lost by the following vote,
The ayes and noes having been called for by Mr. Anderson:

AYES—Messrs. Blair, Hieskell, Mathias, Payne, Scott, Waterson, Whitlock Williams, Younger and Mr. Speaker—10.
NOES—Messrs. Anderson, Banks, Browne, Harris, Johnson, Kirk, Marshall, McGee, McMeekin, Wade, Ward, Weddle and Wilkinson—13.
ABSENT—Messrs. Croysdale, and Houston—2.
Absent on leave—Mr. Tebbs.

Mr. Harris asked and obtained leave to be excused from serving on the committee to whom was referred

House bill No. 20, entitled,
An act to authorise Ashby Macaulay, James Davis, and S. N. Latta, their heirs and assigns, to establish a ferry across the Missouri river, at the town of Leavenworth, in the Territory of Kansas.

Mr. Browne asked to be excused from serving on the committee to whom was referred,
House bill No. 16, entitled,
An act to incorporate the Lecompton Bridge Company,
Which was not granted.

On motion by Mr. Mathias,
The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

House bill No. 21, entitled
An act declaring Big Blue river a public highway,
Was taken up, read a second time, and
On motion by Mr. Marshall,
Referred to the Committee on Roads and Highways.

House bill No. 22, entitled
An act to establish a Ferry across the Kansas river at the Town of Lawrence,
Was taken up, read second time, and
On motion by Mr. Wilkinson,
Referred to the Committee on Roads and Highways.
Also,
House bill No. 23, entitled
An act to establish a territorial road from a point opposite St. Joseph, in Missouri, to the Great Nemaha river,
Was taken up, read the second time, and
On motion by Mr. Anderson,
Referred to the Committee on Roads and Highways,
Also,
House bill No. 24, entitled
An act to establish a territorial road from opposite Boston in Missouri to a point on the California road, at or near the Half-way Grove, in the Territory of Kansas,
Was taken up, read second time, and
On motion by Mr. Weddle,
Referred to the Committee on roads and Highways.
Also,
House bill No. 25, entitled
An act to establish a Ferry at the town of Douglas, on the Kansas river,
Was taken up, read second time, and

On motion by Mr. Wade,
Referred to the Committee on Roads and Highways.

The following Council bills were read and disposed of:
A bill to incorporate the city of Leavenworth,
Was read a second time, and
On motion of Mr. Anderson,
Referred to the Committee on corporations.
Also,
An act to incorporate the Mount Aurora Cemetery and Town Association,
Was read a second time, and
On motion by Mr. Anderson,
Referred to the Committee on Corporations.
Also,
An act in relation to County organizations, powers and privileges,
Was read a second time, and
On motion by Mr. Anderson,
Referred to the Committee on bounds of counties and District.
Also,
An act concerning apprentices,
Which was read a second time, and
On motion by Mr. Anderson,
Referred to the Committee on Judiciary and Criminal Jurisprudence.
Also,
An act to incorporate the Leavenworth, Pawnee and Western Railroad Company,
Which was read a second time, and
On motion by Mr. Mathias,
Referred to the Committee on Corporations.
Also,
An act regulating the erection of county buildings,
Which was read a second time, and
On motion by Mr. Anderson,
Referred to the Committee on public buildings,
Also,
An act respecting executors and administrators,
Which was read a second time, and
On motion by Mr. Mathias,
Referred to the Committee on Judiciary and Criminal Jurisprudence.
Mr. Marshal, on leave, introduced a bill entitled:

An act to declare the road now leading from the California road near Wakefield to Lecompton, along the Ridge between Snyder and William Todd-hunter's, a Public Highway,
Which was read the first time.

Mr, Banks, according to previous notice, introduced a bill entitled
An act to establish a Ferry across the Kansas River at town of Lawrence, in Kansas Territory,
Which was read a first time, and
On motion by Mr. Anderson,
The rule was suspended, and bill read a second time, and referred to the Committee on Roads and Highways.

On motion by Mr. Anderson,

House Bill No. 31, entitled
An act to charter a Ferry at the town of Lawrence, in Kansas Territory,
Was taken up, read second time, and
Referred to the Committee on Roads and Highways.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the accompanying concurrent resolution has passed the Council.

Resolved, That the committees of Agriculture of the Council and House of Representatives be instructed (the House of Representatives concurring therein) to report by resolution, petition or memorial to Congress in favor of a geological survey of Kansas Territory.

Also that
Bills of the following titles have been introduced into the Council:
A bill to incorporate the Tecumseh Lyceum and Library Association.
An act establishing a Territorial road from the town of Iowa Point, to Engatah, on the Arkansas river.
An act respecting Divorce and Alimony.
An act giving bounty on Wolf Scalps.

Mr. Younger, according to previous notice, introduced bills entitled
An act to establish a road from the line near Westport, in Missouri, to Fort Scott, in Kansas Territory,
Which was read the first time.
Also,
An act to establish a Territorial road from a point opposite Westport, in Missouri, to Cofachiqui, in Kansas Territory,
Which was read the first time.

Mr. Anderson gave notice that at some future day he would introduce a bill of the following title:
An act to incorporate a Bank and Branches in Kansas Territory.

On motion by Mr. Waterson,
House bill No. 39, entitled
An act to establish a road from the line near Westport, in Missouri, to Fort Scott, in the Territory of Kansas,
Was taken up, read second time, and
Referred to the Committe on Roads and Highways.
Also,
On motion by Mr. Waterson,
House bill No. 40, entitled
An act to establish a Territorial road from a point opposite Westport, in Missouri, to Cofachiqui, in Kansas Territory,
Was taken up, read a second time, and
Referred to the Committee on Roads and Highways.
Council bill entitled
An act to provide for the recovery of debts by attachment,
Was taken up, and
Mr. Anderson moved
That the reading be dispensed with, on which
Mr. Mathias called for the ayes and noes.

The vote was as follows:

AYES.—Messrs. Anderson,Banks, Browne, Croysdale, Marshall, Payne Ward, Waterson, Williams, Wilkinson and Mr. Speaker—11.

NOES.—Messrs. Blair, Hieskell, Johnson, Kirk, Mathias, McGee, McMeekin, Scott, Wade, Weddle, Whitlock and Younger—12.

Absent, Messrs. Harris and Houston.

Absent on leave, Mr. Tebbs.

So the motion was lost.

Mr. Anderson moved

To lay the bill on the table, until Monday next,

Which was lost by the following vote, he having called for the ayes and noes:

AYES.—Messrs. Anderson, Banks, Browne, Croysdale, Payne and Wade—6.

NOES.—Messrs. Blair,Hieskill, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson. Younger, and Mr. Speaker—17.

Absent, Messrs. Harris and Houston—2.

Absent on leave, Mr. Tebbs.

Message from the Council by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following bills have been passed by the Council:

An act concerning Inquests.

An act concerning Coroners.

Mr. Anderson moved

That the House adjourn until Monday next,

Which was lost by the following vote.

The ayes and noes having been called for by Mr. Johnson:

AYES.—Messrs. Anderson, Banks, Browne, Croysdale, Marshall, Payne, Ward, and Williams—8.

NOES.—Messrs. Blair, Hieskill, Johnson, Kirk, Mathias, McGee. McMeekin, Scott, Wade, Waterson, Weddle, Whitlock. Wilkinson, Younger and Mr. Speaker—15.

ABSENT—Messrs. Harris and Houston—2.

Absent, on leave, Mr. Tebbs.

Council bill entitled,

An act to provide for the recovery of debts by attachment,

Was taken up, and read first time, and

On motion by Mr. Waterson,

The rule was suspended, and bill read a second time, and,

On motion by Mr. McMeekin,

The rule was suspended and the bill considered engrossed,

Read a third time and passed.

Mr. Banks gave notice of his intention on to-morrow or some future day of the session, to introduce a bill of the following title:

An act to incorporate the town of Lawrence.

Mr. Croysdale, according to previous notice, introduced a bill entitled

An act to provide for laying out and establishing a Territorial road from the point where the Atchison, Kickapoo and Leavenworth roads converge, by way of Osawkee and Tecumseh, to intersect the Santa Fe Road at or near One Hundred and Ten,

Which was read the first time.

On motion by Mr. Waterson,

The Sergeant-at-Arms was instructed to call on the Secretary of the Territory to request of him any stamps or stamped envelopes, which he may have in his possession, for the use of the House, and to distribute them among the members and officers of the House.

On motion by Mr. McGee,

The House adjourned until 2 o'clock, P. M. to-morrow.

SATURDAY EVENING, JULY 21, 1855.

The House met, pursuant to adjournment.

The journal of yesterday was read and approved.

On motion by Mr. Waterson.

The roll was called and the following members answered to their names:

Present—Messrs. Blair, Browne, Hieskill, Houston, Kirk, Marshall, Mathias, McGee, Payne, Waterson, Weddle, Williams, Younger, and Mr. Speaker—14.

Absent—Messrs. Anderson, Banks, Croysdale, Harris, Johnson, McMeekin, Scott, Wade, Ward, Whitlock, and Wilkinson—11.

Absent on leave,—Mr. Tebbs.

The following message was received from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that bills of the following titles have passed the Council:

An act preventing the firing of woods, marshes and prairies.

An act to license and control auctioneers.

An act to encourage the destruction of Wolves, &c.

An act to establish a ferry opposite the town of St. Joseph, in Missouri.

An act to incorporate the Tecumseh Lyceum and Library Association.

An act to establish a Public Ferry at the town of Iowa Point, in Kansas Territory.

An act to incorporate the Kansas Valley Railroad Company.

Mr. Harris, chairman of the Committee on Roads and Highways, reported the following bills back without amendment, and recommended their passage:

House bill No 15, entitled

An act to declare the Santa Fe road a territorial road.

Also,

House bill No. 18, entitled

An act to grant to F. J. Marshall and Albert C. Woodward, trading under the firm and style of Marshall & Woodward, a charter to keep a Ferry at the crossing of the great military road leading from California over the Big Blue River, at the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road across the same river.

Also,

House bill No. 21 entitled,

An act declaring Big Blue river a Public Highway.

Also,

House bill No. 25, entitled

An act to establish a Ferry at the town of Douglas, on the Kansas river.

Also,

House bill No. 39, entitled

An act to establish territorial a road from the line near Westport, in Missouri, to Fort Scott, in the Territory of Kansas

Also,

House bill No. 40, entitled

An act to establish a road from a point opposite West Point, in Missouri, to Cofachiqui, in Kansas Territory.

Mr. Waterson moved the adoption of the report,

Which was agreed to.

The Committee on corporations made the following report:

MR. SPEAKER:

The Committee on corporations, to whom was referred

Council bill entitled

An act to incorporate the Mount Aurora Cemetery and Town Association.

Beg leave to report the same without amendment, and recommend its passage.

They further report

Council bill entitled

An act to incorporate the city of Leavenworth,

Without amendment, and recommend its passage.

All of which is respectfully submitted.

WATERSON, } Committee
HIESKELL, }
MARSHALL, }

On motion by Mr. Williams,
The report was adopted.

Mr. Waterson, Chairman of the Committee on Public Buildings, to whom was referred
Council bill entitled
An act regulating the erection of County Buildings
Reported the same back without amendment, and recommended its passage.

Mr. Weddle moved the reception of the Report,
Which was agreed to.

Mr. Marshall, from the committee on Judiciary and Criminal Jurisprudence, to whom was referred
Council bill entitled,
An act concerning apprentices,
Reported the same back without amendment, and recommended its passage.

On motion by Mr. Mathias,
The report was adopted.

Mr. Williams, Chairman of the Committee on bounds Counties and Districts to whom was referred
Council bill entitled
An act in relation to County organizations, powers and privileges,
Reported the same back without amendment, and recommended its passage.
On motion by Mr. Waterson,
The report was adopted.

The following Message was received from the Governor, by his private Secretary, Mr. Lowry :

To the House of Representatives of the Territory of Kansas :

I return to your House in which they originated the bill entitled "An act to prevent the sale of intoxicating liquors. and games of chance, within one mile of the Shawnee Manual Labor School, in the Territory of Kansas." and the bill entitled "An act to establish a Ferry at the town of Atchison, in Kansas Territory," without my approval. I see nothing in the bills themselves, to prevent my sanction of them, and my reasons for disapproval have been doubtless anticipated by you, as necessarily resulting from the opinions expressed in my message of the sixth instant.

The question is of the powers of the Legislature, and whether the Legislature is now in session at a place which can be recognized as a seat of government, where the business of legislation can be legally or legitimately carried on. The creation of a seat of government in any case by competent authority, carries with it a necessary and unavoidable implication, from the meaning and force of the term, that the laws which are to be passed for the government of the State or Territory shall be there enacted, and therefore makes it the clear duty of the Legislature to perform their functions at that place. It can have no other object or purpose, and we cannot for a moment suppose that the authority which creates a seat of government, contemplated that all the acts and powers of government might be performed and exercised as well at any other place. It clearly means that the enactment of laws, which is the highest and most important function of governmental power, should be exercised at that place, and no other.

This proposition is so plain that it will probably not be controverted, and its correctness seems to be admitted by the Legislative Assembly in the fact of the passage by them of an act constituting this the seat of government before they would remove here from the place at which they were convened. Were that act valid, and within the powers of the Territorial Legislature, the question could not arise. To its validity, however, I cannot give my assent, and I propose now to state my reasons for that opinion.

The whole territorial government is brought into existence by the act of Congress of May 31, 1854, and to it we must look for the limit and extent of the legislative, judicial, and executive powers. The 22d section provides "that the legislative power and authority of said territory shall be vested in the Governor and Legislative Assembly," and then proceeds to declare how the Assembly shall be constituted and the first Assembly elected, and at the close we find the following language:

"The persons thus elected shall meet at such place and on such day as the Governor shall appoint; but thereafter the time, place, and manner of holding and conducting all elections by the people, and apportioning the representation in the several counties or districts, to the Council and House of Representatives, according to the number of qualified voters, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the Legislative Assembly."

It will thus be seen, that although Congress gives to the Legislature the power to determine the time when the Assembly shall thereafter meet, they do not confer power to fix the place. We will see on further examination the reason for this, and that Congress chose to retain and exercise this power themselves.

By the 24th section it is provided, "That the legislative power of said Territory shall extend to all rightful subjects of legislation, consistent with the constitution of the United States and the provisions of this act."

By the 31st section it is provided, "That the seat of government of said Territory is hereby located temporarily at Fort Leavenworth," and further provision is made for the occupation of buildings not needed for military purposes.

By the appropriation bill passed August 5, 1854, section 6, Congress enacted, "That in the event that the Secretary of War shall deem it inconsistent with the interests of the military service to furnish a sufficient portion of the military buildings at Fort Leavenworth for the use of the territorial government of Kansas, the sum of twenty-five thousand dollars shall be, and in that contingency is hereby appropriated, for the erection of public buildings for the use of the Legislature of the Territory of Kansas, to be expended under the direction of the Governor of said Territory."

It is worthy of note here, although not precisely a legal argument upon the construction of these acts, that within a few days before the passage of the last recited act Congress refused to make this appropriation, coupled with a clause repealing the section which fixed the temporary seat of government at Fort Leavenworth. It is enough, however, to know that they did not repeal it. The appropriaion was made, leaving that section in full force.

On the third day of March, 1855, Congress made a further appropriation of twenty-five thousand dollars for public buildings with the proviso "that said money or any part thereof, or any portion of the money heretofore appropriated for this purpose, shall not be expended until the legislature of said Territory shall have fixed by law the permanent seat of government."

This last enactment conclusively establishes two points. First, that the Legislature have the power to fix the permanent seat of government as contradistinguished from a temporary one; and second, that no part of the appropriation is to be expended at the temporary seat of government, which Congress persisted on keeping at Fort Leavenworth."

Thus stood the Legislation of Congress when the Legislative Assembly was convened. The Executive was vested with power to designate the place where they should first meet. Congress had themselves fixed a temporary seat of first place of meeting, or in case a second Legislature should convene before the permanent seat of government was fixed, and the Legislature were authorized to fix a permanent seat of government, where the appropriations were to be expended.

The latter power they may at any time exercise, but the two former they clearly cannot, unless they have power to repeal and override an act to Congress.

The only authority under which the Legislative Assembly are now sitting at the Shawnee Manual Labor School, is an act of their own, passed on the sixth instant, at the place where they were convened by the Executive, entitled "An act to remove the seat of government temporarily to the Shawnee Manual Labor School, in the Territory of Kansas."

At the place where they were first convened, the Legislature could, undoubtedly have fixed the "permanent" seat of government, where the appropriation could have been expended, and adjourned at once to such place, or if they chose to delay acting upon the measure, they could in the meantime have adjourned to the temporary seat of government which Congress had established; but it is impossible for me to perceive how they can establish a temporary seat of government at a different place from that at which Congress has said it shall be, without such a direct conflict as to render the Legislative act utterly void.

We find in the organic act many instances of legislation which were intended only to be provisional, and intended to last only until the subjects to which they relate should pass into the hands of the legislature—such as the qualification of electors; times, places and regulations of elections; times and places of courts; defining of districts; appointment of officers, &c.—but in each of these cases the power to change the provisions of the organic act is expressly given, whilst in regard to the temporary seat of government it is not given.

Indeed, in view of the fact that Congress has not included this in the provisional legislation—that in speaking of the day and place for all meetings of the Legislature after the first, they give power to the Legislature to fix the day but not the place—that the only power given to the Legislature in reference to the seat of government, is the power to fix the permanent place where the appropriation shall be expended, and the restriction of legislation to matters consistent with the organic act, all concur to prove that the act of the Territorial Legislature, creating a temporary seat of government is unauthorized and void.

Did the Legislature possess general powers, and not tramelled, as they are, by the restriction of consistency with the organic act, their power to change the seat of government at pleasure could not be doubted. As it is, if they can contravene the 31st section, I see no reason why they may not equally as well pass laws in conflict with any other provision which the bill contains.

It seems to be plain that the Legislature now in session so far as the place is concerned, in contravention of the act of Congress, and where they have no right to sit, and can make no volid legislation. Entertaining these views I can give no sanction to any bill that may be passed; and if my reasons are not satisfactory to the Legislative Assembly, it follows that we must act independently of each other.

The necessary embarrassment consequent upon this difference of opinion between the Legislative Assembly and the Executive, will be of so grave a character, and so desirable to avoid, if possible, that I have most earnestly scrutinized the grounds of my opinion, and sought for all the arguments against it with diligent care and a willingness to be convinced, but I am constrained to say that reflection and examination only seem to rivet upon my mind more and more strongly the conviction of its correctness.

If I am right in these opinions, and our Territory shall derive no fruits from the meeting of the present Legislative Assembly, I shall at least have the satisfaction of recollecting that I called the attention of the Assembly to the point before they removed, and that the responsibility, therefore, rests not on the Executive.
A. H. REEDER.

SHAWNEE METH. MISSION, July 21, 1855.

On motion by Mr. Browne,
House bill No. 13, entitled
A bill declaring certain roads Public Highways,
Was taken up, and the vote by which the said bill was passed on yesterday, was reconsidered.

On motion by Mr Mathias,
The House adjourned until 12 o'clock, Monday next.

MONDAY, 12 O'CLOCK, JULY 23, 1855.

House met pursuant to adjournment.

Prayer by Rev. Mr. Peery, Chaplain.

On motion by Mr. Anderson,
The House adjourned until quarter past one o'clock.

EVENING SESSION.

1¼ O'CLOCK.

The journal of Saturday last was read and approved.

Mr. Hieskell from the Committee on Engrossed Bills, reported the following bills as truly engrossed:

House bill No. 9, entitled

An act concerning corporations.

House bill No. 10, entitled

An act for the incorporation of Towns and to prevent the circulation of Town and City script.

Also,

House bill No. 11, entitled

An act to provide for the collection of demands growing out of contracts for sale of improvements on public lands in the Territory of Kansas.

The report was agreed to.

Mr. Mathias, Chairman of the Committee on Judiciary and Criminal Jurisprudence, to whom was referred

House bill No. 8, entitled

An act to provide for the punishment of offences against the public health,

Reported the same back to the House with the following amendment:

Insert the words "Governor and" after the word "the" in the enacting clause,

And as amended, recommended its passage,

The report was agreed to.

Mr. Mathias, from the same committe, to whom was referred

House bill No. 2, entitled

An act for securing liens to mechanics and others,

Reported the same back to the House with the following amendments:

Strike out section 2 entirely, and insert the following:

SEC. 2. It shall be the duty of every person, except a sub-contractor, who wishes to avail himself of the benefits of this act, to file, within six months after the materials shall have been furnished, or the work or labor performed with the Clerk of the District Court, for the Judicial District in which the building to be charged with said lien is situated, a just and true account of the demand due after all credits are deducted; and he shall verify the said account by his own or by the oath of some other person, and at the same time he shall also file a correct description of the property so charged with said lien.

And in section 3,

Strike out "Circuit Court of the county,' and insert "said Court in the Judicial District,

And as amended, recommended its passage.

On motion by Mr. McGee,

The report was adopted.

The Committee on Corporations, to whom was referred the Council bill entitled

An act to incorporate the Leavenworth, Pawnee and Western Railroad Company,

Made the following report:

The Committee on Corporations to whom was referred the Council bill entitled "An act to incorporate the Leavenworth Pawnee, and Western Railroad Company," beg leave to report that they have reason to believe that amendments were made to the bill in Council which do not accompany the bill.—They therefore ask that the Council be requested to send to this House, such amendments, if any there be, and the committee ask for further time to report the bill.

WATERSON,
HIESKELL, Committee.
MARSHALL,

On motion by Mr. Johnson,

The report was agreed to.

Mr. McMeekin, Chairman of the Select Committee to whom was referred, House bill No. 17, entitled

A bill to establish a Ferry at the town of Leavenworth,

Reported the same back to the House and recommeded its passage.

On motion by Mr. Marshall,

The report was adopted.

Mr. Marshall, Chairman of the Select Committee to whom was referred House bill No. 16, entitled

An act to incorporate the Lecompton Bridge Company,

Reported the same back to the House, with the following amendments:

Amend by adding to said bill the following:

SEC. 13. *And be it further enacted,* That if the party or parties holding the charter granted by this act, shall obstruct the navigation of the said river of Kansas, or shall in any way impede the navigation thereof with flats or steamboats or crafts, or any other floating craft upon said river, they shall thereby forfeit the charter herein granted, and shall be liable to forfeit and pay to the party or parties so damaged, the full amount of such damages.

SEC. 14. *And be it further enacted,* That it shall be lawful for any person, party or parties so injured by the obstruction of the navigation of the said river of Kansas, to recover the damages against the said Bridge Company at a suit in law.

Also,

Amend by striking out the words "the Honorable," which appear before the words "Edward Bates"; also, by striking out the word "Col." before the words "Robert Campbell"; also, by striking out the words "the Honorable," before the name of 'John F. Ryland'; also, by striking out the word "Col." and inserting the word "Mordecai" before the name of "Oliver"; also, by inserting after the name of "Oliver" the words "Richmond Missouri"; also, by inserting the word "Oliver" before the name "Anderson"; also, by striking out the word "Col." before the name "James C. Anderson"; also, by striking out the word "Maj." before the name "R. C. Miller"; and also by striking out the name "J. A. Wakefield" in the first section,

And as amended, the committee recommended its passage.

The report was agreed to.

Mr. Browne, according to previous notice, introduced a bill entitled,

An act to view and mark out a road from Willow Springs, on the Santa Fe road, *via* Glendale to the Kansas river, at the most desirable point above or at the town of Tecumseh,

Which was read a first time, and ordered to a second reading.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the accompanying concurrent resolution has been adopted by the Council:

Resolved, That a Joint Committee, consisting of three of the Council and five of the House of Representatives (the House of Representatives concurring therein) be appointed to draw up a memorial to the President of the United States respectfully demanding the removal of Andrew H. Reeder from the office of Governor.

Also, that

An act to establish a Ferry at the town of Kickapoo, in Kansas Territory,

Has passed the Council, the Governor's objections to the contrary notwithstanding.

On motion by Mr. Anderson,

The Council concurrent resolution was taken up, read first time, and the rules suspended, and the bill read a second time.

Mr. Mathias moved,

That the Council concurrent resolution and the Governor's message be referred to a committee of the whole House,

Which was agreed to.

On motion by Mr. Mathias,

The House resolved itself into a committee of the whole House,

Mr. Waterson in the Chair.

The committee of the whole House made the following report:

MR. SPEAKER:

The Committee of the whole House, to whom were referred the veto message of Governor Reeder, and also the Council concurrent resolution, have had the same under consideration and have instructed me to report a recommendation of the passage of said resolution and the appointment of Messrs. Stringfellow. Anderson, Browne, Mathias and Williams, as the committee from the House contemplated by said Council concurrent resolution.

WATERSON, Chairman.

On motion by Mr. Mathias,

The report was adopted by the following vote,

The ayes and noes being demanded by Mr. Anderson:

AYES.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hicskill, Johnson, Kirk, Marshall, Mathias, McGee. McMeekin, Payne, Scott, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.

ABSENT—Mr. Houston.

Absent, on leave—Mr. Tebbs.

The question being upon the passage of the concurrent resolution of the Council,

It was passed.

On motion by Mr. Mathias,

House bill entitled,

An act to prevent the sale of intoxicating liquors and games of chance within one mile of the Shawnee Manual Labor School in the Territory of Kansas,

Was taken up and reconsidered.

Mr. Mathias then moved,

That the bill be passed, notwithstanding the objections of the Governor,

Which was decided in the affirmative, by the following vote,

The ayes and noes having been demanded by Mr. Johnson:

AYES.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskill, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Wade, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, and Mr. Speaker—25.

Absent—Mr. Houston.

On motion by Mr. Mathias,

House bill entitled

An act to establish a Ferry at the town of Atchison, in Kansas Territory,

Was taken up and reconsidered by the House, and

Passed by the following vote,

The ayes and noes having been demanded by Mr. McGee:

AYES—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskell, Johnson, Kirk, Marshall. Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—25.

Absent—Mr. Houston.

Mr. Browne offered the following resolution:

Resolved, That the Committee on Roads and Highways, to whom has been referred "An act declaring certain roads public highways," passed yesterday and reconsidered, be hereby instructed to report the same with amendments, making the Post-Office at Willow Springs, on the Santa Fe road, a point; and that the said road, from thence to Tecumseh, be so located as to conform to the provision of a bill recently introduced into the House, entitled "An act to view and mark out a road from Willow Springs, on the Santa Fe road, *via* Glendale, to Kansas river, at the most desirable point above or at the town of Tecumseh.

Which was read first time and adopted.

Mr. Johnson, according to previous notice, introduced a bill entitled,

An act to declare a certain road from the Shawnee Methodist church south to the town of Tecumseh, a territorial road,

Which was read a first time, and

Ordered to a second reading.

Mr. Payne, according to previous notice, introduced a bitl of the following title:

An act to establish a territorial road from Leavenworth to Osawkee, *via* Alexandria and Ogdensburgh,

Which was read the first time, and

Ordered to a second reading.

Mr. Weddle gave notice of his intention on to-morrow or some subsequent day to introduce a bill entitled,
An act respecting vagrants in Kansas Territory.

Mr. Wade, accoding to previous notice, introduced a bill entitled,
An act to establish a Territorial road from Leavenworth City to Salem, in Kansas Territory,
Which was read a first time and
Ordered to a second reading.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Chair has appointed as a committee, Messrs. McDonald, Eastin and Coffey, to act in conjunction with the House Committee appointed to frame a Memorial to the President of the United States respectfully demanding the removal of Andrew H. Reeder from the office of Governor.
Mr. Harris called for the vote of the House, when
The following members answered to their names:

AYES—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskell, Johnson, Kirk, Mathias, McGee, Payne, Scott, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—23.
ABSENT—Messrs. Houston and Marshall—2.
Absent on leave, Mr. Tebbs.

On motion by Mr. Harris,
The Sergeant-at-Arms was ordered to bring in absent members.

On motion by Mr. Stringfellow,
Mr. Anderson in the chair,
Council bill entitled,
An act to establish a Ferry at the town of Kickapoo, in Kansas Territory,
Was taken up, and
Passed by the following vote,
The ayes and noes having been demanded:

AYES—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskell, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—23.
Absent—Messrs. Houston and Marshall—2.
Absent on leave—Mr. Tebbs.

Mr. Payne gave notice of his intention on to-morrow or some subsequent day to introduce a bill entitled,
An act to authorize M. R. Grinter and Company to establish a Ferry across the Kansas river at Delaware.

Mr. Weddle gave notice of his intention on to-morrow or some subsequent day to introduce a bill entitled,
A bill concerning arbitrators and references.

On motion by Mr. McGee,
The special business of the day was taken up, whereupon
The House bill No. 9, entitled
An act concerning corporations,
Was taken up and passed.
Also,
The House bill No. 10, entitled
An act for the incorporation of towns, and to prevent the circulation of town and city script,
Was read a third time and passed.
On motion by Mr. Harris,
The vote was reconsidered by the House.
The bill was then read by its title, and
Passed by the following vote,
The ayes and noes having been demanded by Mr. Johnson:

AYES—Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson and Younger—21.
ABSENT—Messrs. Croysdale, Houston, Marshall and Mr. Speaker—4.
Absent on leave—Mr. Tebbs.

Mr. Browne offered the following resolution:

Resolved, (the Council concurring therein) That the enacting clause of all laws passed by the Legislature of Kansas shall be as follows: "Be it enacted by the Legislative Assembly of the Territory of Kansas."

Which was read a first time, and
Ordered to a second reading.

The following House bills were taken up in order, and severally disposed of as follows:
House bill No. 41, entitled
An act to locate a territorial road from Atchison, Kickapoo and Leavenworth, by way of Osawkee and Tecumseh, to intersect the Santa Fe road, at or near One Hundred and Ten,
Was read a second time, and
On motion by Mr. Wilkinson,
Referred to the Committee on Roads and Highways.
House bill No. 26, entitled
An act concerning marriage contracts,
Was read a second time, and
On motion by Mr. Mathias,
Referred to the Committee on Judiciary and Criminal Jurisprudence.
House bill No. 27, entitled
An act regulating marriages,
Was read a second time, and
On motion by Mr. Johnson,
Referred to the Committee on Judiciary and Criminal Jurisprudence.
Mr. Harris offered the following amendment to the bill:
Amend by adding to the bill,
That it shall be the duty of every Justice of the Peace and Minister of the Gospel, before they shall be authorized to solemnize any marriage under the

bill, to take an oath to the following effect: That they will honestly, faithfully and truly support the principles and provisions of the Kansas-Nebraska Bill, and also the provisions of an act entitled, "an act respecting fugitives from justice and persons escaping from the service of their masters," approved February 12th, seventeen hundred and ninety-three, and the provisions of the act entitled, "an act to amend and supplementary to the aforesaid act," approved September 18th, eighteen hundred and fifty, be and the same is hereby declared to extend to and to be in full force within the limits of the said Territory of Kansas, commonly known as the Fugitive Slave Law,"

Which amendment was read a first time, and

On motion by Mr. Mathias,

The rule was suspended, the amendment read a second time, and referred, with the bill, to the Committee on Judiciary and Criminal Jurisprudence.

On motion by Mr. McMeekin,

House bills No. 26 and 27, last read,

Were ordered to be printed.

House bill No. 30, entitled

An act to establish certain territorial roads in Kansas Territory,

Was read a second time, and

On motion by Mr. Mathias,

Referred to the Committee on Roads and Highways.

House bill No. 32, entitled,

A bill to incorporate Leavenworth Lodge No. 150, Ancient Free and Accepted Masons,

Was read a second time, and

On motion by Mr. Weddle,

Referred to the Committee on corporations.

House bill No 33, entitled,

An act respecting lost moneys and goods,

Was read a second time, and

On motion by Mr. Mathias,

Referred to the Committee on Judiciary and Criminal Jurisprudence.

House bill No. 34, entitled,

An act to view and mark out a road from 110, *via* Glendale and the town of Douglas, to intersect the military road from Fort Leavenworth to Fort Riley,

Was read second time, and

On motion by Mr. Johnson,

Referred to the Committee on Roads and Highways.

House bill No. 35, entitled,

An act concerning debtors and their securities,

Was read a second time, and

On motion by Mr. Mathias,

Referred to the Committee on Judiciary and Criminal Jurisprudence.

House bill No. 36, entitled

An act to view and mark out a road from the eastern boundary line of the Territory of Kansas, near Westport, Jackson county Missouri, a part of the way, and to declare a part of the road as the present road which now runs to Fort Leavenworth, a territorial road,

Was read a second time, and

On motion by Mr. Johnson,

Referred to the Committee on Roads and Highways.

House bill No. 37, entitled,

An act to declare the road leading from the California road near Wakefield to Lecompton, along the ridge between Snyder and William Toddhunter's a public highway,

Was read a second time, and

On motion by Mr. Marshall,

Referred to the Committee on Roads and Highways.

The engrossed House bill No. 11, entitled

An act to provide for the collection of demands growing out of contracts for the sale of improvements on public lands in the Territory of Kansas,

Was taken up in order of business, and read the third time and passed.

Also,

House bill No. 17, entitled

A bill to establish a Ferry at the town of Leavenworth,

Was taken up, and read a third time.

Mr. Mathias moved to amend by way of rider, as follows:

Amend, by way of rider, by striking out the words "or near" in the seventh line of the first section.

The amendment was agreed to.

The amendment was then read a first time,

The rule suspended and read a second and third time, and

The bill as amended passed.

Also,

House bill No. 4, entitled

An act concerning estrays,

Was taken up, and read a third time.

Mr. Mathias moved an adjournment until half-past two o'clock on to-morrow evening,

Which was lost by the following vote,

The ayes and noes being demanded by Mr. McMeekin:

Ayes—Messrs. Banks, Blair, Mathias, McMeekin, Payne, Scott, Waterson, Weddle, Younger and Mr. Speaker—10.

Noes—Messrs. Anderson, Browne, Mieskell, Johnson, Kirk, Marshall, McGee, Wade, Ward, Whitlock, Williams and Wilkinson—12.

Absent—Messrs. Croysdale, Harris and Houston—3.

Absent on Leave—Mr. Tebbs.

The question then recurring upon the passage of the bill,

Mr. Waterson moved that the bill be laid on the table,

Which was agreed to.

Mr. Speaker Stringfellow, (Mr. Anderson in the Chair,) moved

That the House adjourn until a quarter past one, to-morrow evening.

So the House adjourned.

TUESDAY EVENING, JULY 24, 1½ o'clock, P. M.

The House met, pursuant to adjournment.

The Speaker *pro. tem.* in the chair.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read, corrected, and approved.

Mr. Tebbs asked that his name might be recorded as aye, on all the bills passed, after being returned by the Governor with his objections,
Which was granted.

Mr. Kirk, from the Committee on Roads and Highways, to whom was referred
House bill No. 13, entitled
An act declaring certain roads Public Highways, and
Also,
House bill No. 42, entitled
An act to view and mark out a road from Willow Springs to the great Santa Fe road, *via* Glendale, to the Kansas river, at or above the town of Tecumseh,
Reported a bill as a substitute to said bills, entitled
An act declaring certain roads Public Highways,
And recommended its passage.

The report was agreed to, and
The substitute was read a first time, and ordered to a second reading.

Mr. Kirk, also from the same committee to whom was referred
House bill No. 34, entitled
An act to view and mark out a road from One Hundred and Ten, via Glendale and the town of Douglas to intersect the military road leading from Fort Leavenworth to Fort Riley,
Reported the bill back and recommended its passage.
The Report was agreed to.

On motion by Mr. Mathias,
The concurrent committee appointed to draw up a Memorial to the President of the United States, requesting the removal of Andrew H. Reeder from the office of Governor, was allowed to sit during the session of the House.

Mr. Wilkinson moved
That the bill reported as a substitute by the Committee on Roads and Highways, be so far corrected as to strike out "Westpoint" in the fifth section and insert "Westport,"
Which was agreed to.

House bill No. 34, entitled
An act to view and and mark out a road from One Hundred and Ten, *via* Glendale, and the town of Douglass, to intersect the military road leading from Fort Leavenworth to Fort Riley,

Was taken up, read a third time and passed.

Mr. Harris, Chairman of the Committee on Roads and Highways, to whom was referred
House bills No. 22 and 31, entitled
An act to establish a Ferry across the Kansas river at the Town of Lawrence,
And
An act to charter a Ferry at the town of Lawrence, Kansas Territory,
Reported the same back and recommended their rejection.

The question being on the adoption of the report,

Mr. Kirk called for the ayes and noes,
Which resulted as follows :

Ayes.—Messrs. Anderson, Banks, Blair, Croysdale, Harris, Johnson, Payne, Tebbs, Waterson and Weddle—10.
Noes.—Messrs. Hieskell, Kirk, Marshall, McGee, McMeekin, Scott, Ward, Wilkinson and Younger—9.
Absent—Messrs. Browne, Houston, Williams, Mathias, and Mr. Speaker—5.
Not Voting—Messrs. Wade and Whitlock—2.

Mr. Croysdale moved
A reconsideration of the vote,
Which was agreed to.

The question being on the adoption of the report,
It was rejected by the following vote,
The ayes and noes having been demanded by Mr. Wilkinson :

Ayes.—Messrs. Anderson, Banks, Blair, Harris, Johnson, Payne, Tebbs, Waterson and Weddle—9.
Noes.—Messrs. Croysdale, Hieskill, Kirk, Marshall, McGee McMeekin, Scott, Ward, Wilkinson and Younger—10.
Absent—Messrs. Browne, Houston, Mathias, Williams, and Mr. Speaker—5.
Not Voting—Messrs. Wade and Whitlock —2.

Mr. Harris, from the same Committee to whom was referred
House bill No. 38, entitled
An act to establish a Ferry across the Kansas river at the town of Lawrence,
Reported the bill back to the House, with the following amendments :

Amend by inserting between the word "follows," and the word "John" in section 1—the word "that." In the same section, after the word "Baldwin," insert the word "and," and after "his " succeeding Baldwin, in said section, insert the word "legal," and after the word "heirs," in said section, strike out the words "or assigns."

Strike out section 2, and insert in its place the following :

"Sec. 2. It shall be the duty of the said Baldwin or his legal heirs to keep sufficient accommodations for crossing the said river at all times."

In section 3, after the words "his," strike out "his assigns," and insert "legal heirs."

In section 3, after the word "act," insert the following:
"Provided, the rate of ferriage fixed by said tribunal, shall be reasonable, and in proportion to the rates of ferriage at other places on the said river."

In section 4, after the word "the," and before the word "John," insert the word "said," and after the word "Baldwin," strike out the words "or his assigns," after the word "whenever," in said section, strike out the words "required so to do, by the tribunal transacting County business, for the county, including the town of Lawrence, when organized therefor," and insert instead, the following words:
"Whenever said bond shall become insufficient."
In seciion 5, after the word "Baldwin," strike out the words, "or his assigns,"
And as amended, the committee recommend its passage.

The report was agreed to, and
The bill was read a third time, and laid over until to-morrow.

Mr. Harris, from the same committee to whom was referred
House bill No. 20, entitled
An act to authorize Aulay Macaulay, James Davis, and S. N. Latta, their heirs and assigns, to establish a ferry across the Missouri river, at the town of Leavenworth, in the Territory of Kansas.
Reported the same back, and recommended its rejection.
The report was agreed to.

On motion by Mr. Wilkinson,
House bill No. 22, entitled
An act to establish a Ferry across the Kansas river at the town of Lawrence,
Was taken up, and
On motion by Mr. McMeekin,
The bill was laid on the table until to-morrow.

Mr. Weddle also moved that
House bills No. 31 and 38,
Be laid on the table until to-morrow,
Which was agreed to.

The Committee on Corporations made the following report:

Mr. Speaker:

The Committee on Corporations to whom was referred
Council bill entitled
An act to incorporate the Leavenworth, Pawnee and Western Railroad Company,
Also,
House bill No. 32, entitled

An act to incorporate the Leavenworth Lodge, No. 150, ancient free and accepted Masons,

Report the same back without amendment, and recommend their passage.

WATERSON,
HIESKELL, } Committee.
MARSHALL,

The report was adopted.

Mr. Harris moved

An amendment, by way of Rider, to Council bill.

Amend by way of Rider as follows.

"That no discriminations shall be made between the main trunk of said railroad and the branches connecting with the same, in regard to the rates of passage, and the charge for freight shipped over the same,"

Which was agreed to, and

Read the first time;

The rules suspended and the amendment read a second and third time.

On motion by Mr. Waterson,

The bill as amended, was ordered to be printed, and

Made the special order for Monday next,

House bill No. 32, entitled

An act to incorporate Leavenworth Lodge, No. 150, Ancient Free and Accepted Masons,

Was read a third time and passed.

Mr. Blair, according to previous notice, introduced a bill entitled

An act to establish a territorial road from St. Joseph to Marysville,

Which was read a first time, and

Ordered to a second reading.

Mr. Weddle, according to previous notice, introduced a bill entitled

An act respecting vagrants,

Which was read a first time, and

Ordered to a second reading.

Mr. Williams moved that

House bill No. 4, entitled

An act concerning Strays,

Be taken up,

Which was agreed to.

The bill was read a third time.

Mr. Williams offered an amendment by way of Rider to the bill.

Amend by way of Rider, by striking out all after the enacting clause, and insert the amendment.

The amendment was read a first time, and

On motion be Mr. Williams,

The rule was suspended, the amendment read a second and third time, and

The bill and amendment recommitted, and referred to the Committee on Judiciary and Criminal Jurisprudence.

Mr. Payne, according to previous notice, introduced a bill entitled
An act to establish a Ferry at the town of Delaware, in Kansas Territory,
Which was read the first time,
And ordered to a second reading.

Mr. Tebbs, according to previous notice, introduced a bill entitled
An act to establish a Territorial road from Delaware, on the Missouri river, to Calhoun and other points,
Which was read a first time, and
Ordered to a second reading.

Message from the Council, by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that enrolled House bills entitled

An act to establish a Ferry at the town of Atchison,
And
An act to prevent the sale of intoxicating liquors, and games of chance, within one mile of the Shawnee Manual Labor School, in the Territory of Kansas,
Have been passed by a two thirds majority of the Council, the Governor's objections to the contrary, notwithstanding, and have been signed by the President of the Council:

Mr. McMeekin gave notice that on to-morrow, or some subsequent day, he would introduce a bill of the following title:

An act to exempt certain real and personal property from sale on execution.

Mr. Harris gave notice of his intention on to-morrow or some subsequent day to introduce a bill of the following title:

An act that all officers that may be hereafter elected or appointed to any office of trust, honor profit, or emolument, before entering upon the duties of their respective offices, shall take an oath that they will support the constitution of the United States, the provisions of the Kansas and Nebraska bill, and also the Fugitive Slave Law.

Mr. Waterson gave notice that on to-morrow, or some future day, he would introduce a bill of the following title:
An act regulating enclosures.

Mr. Weddle, according to previous notice, introduced a bill of the following title:
An act concerning arbitrations and references,
Which was read the first time,
And ordered to a second reading.

Mr. Payne gave notice that he would on to-morrow, or some subsequent day, introduce a bill of the following title:

An act declaring the California road leading from Leavenworth city to California, a Public Highway to the western boundary of Kansas Territory.

The following House bills were taken up in order of business, and severally disposed of as follows:

House bill No 43, entitled
An act to declare a certain road from the Shawnee Methodist Church, South, to the town of Tecumseh, a territorial road,
Was read the second time, and
On motion by Mr. Johnson,
Referred to the Committee on Roads and Highways.

House bill No. 44, entitled
An act to establish a territorial road from Leavenworth to Osawkee, *via* Alexandria and Ogdensburgh,
Was read a second time, and
On motion by Mr. Weddle,
Referred to the Committee on Roads and Highways.

House bill No. 45, entitled
An act to establish a territorial road from Leavenworth city, to Salem, in Kansas Territory,
Was read a second time, and
On motion by Mr. Wade,
Referred to the Committee on Roads and Highways.

The following House Resolution, offered by Mr. Browne, was then taken up, read a second time, and
Referred to the Committee on Judiciary and Criminal Jurisprudence.

Resolved, (The Council concurring herein,) that the enacting clause of all Laws passed by the Legislature of Kansas, shall be as follows: "Be it enacted by the Legislative Assembly of the Territory of Kansas."

House bill No. 8, entitled
An act to provide for the punishment of offences against the public health,
Was read a third time.

Mr. Weddle moved
To lay the bill on the table indefinitely.

Mr. Wilkinson objected.

The Chair sustained the motion.

Mr. Wilkinson appealed from the decision of the Chair.

Mr. Weddle then withdrew his motion.

Mr. Wilkinson moved
To lay the bill on the table.

Which was lost by the following vote,
The ayes and noes being called for by Mr. Kirk:

Ayes—Messrs. Blair, Harris, Hieskell, Payne, Waddle, Wilkinson and Younger—7.
Noes—Messrs. Anderson, Banks, Browne, Johnson, Kirk, Marshall, Mathias, McGee, Scott, Wade, Ward, Waterson, Whitlock and Williams—14.
Absent—Messrs. Croysdale, Houston, McMeekin and Tebbs—4.
Not Voting—Mr. Speaker.

The question then recurring upon the passage of the bill,
It was passed.

House bill No. 7, entitled
An act to prevent stallions in certain cases, from running at large,
Was taken up, and
On motion by Mr. Waterson,
The bill was laid on the table until to-morrow.

House bill No. 2, entitled
An act for securing liens to mechanics and others,
Was read a third time and passed.

House bill No. 16, entitled
An act to incorporate the Lecompton Bridge Company,
Was read a third time and passed.

House bill No. 39, entitled
An act to establish a road from the line near Westport, in Missouri, to Fort Scott, in the Territory of Kansas,
Was read a third time and passed.

House bill No. 40, entitled
An act to establish a territorial road from a point opposite Westpoint, in Missouri, to Cofachiqui, in Kansas Territory,
Was read a third time and passed.

House bill No. 25, entitled
An act to establish a Ferry at the [illegible] of Douglas, on the Kansas river,
Was read a third time and passed.

House bill No. 15, entitled
An act to declare the Santa Fe road, a territorial road,
Was read a third time and passed.

House bill No. 18, entitled
An act to grant to F. J. Marshall and Albert C. Woodward, trading under the firm and style of Marshall & Woodward, a charter to keep a Ferry at the crossing of the great military road leading from California over the [illegible] River, at the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road across the same river,
Was read a third time and passed.

The following Council concurrent Resolution was taken up, read the second time, and
The rule suspended, and the resolution read a third time and passed:

Resolved, That the Committees of Agriculture of the Council and House of Representatives (the House of Representatives concurring herein,) be instructed to report by resolution, petition, or memorial to Congress in favor of a Geological Survey of Kansas Territory.

The following Council bills were taken up in the order of business, and severally disposed of as follows:

An act to establish a public Ferry at the town of Iowa Point, in Kansas Territory,
Was read a first time, and
Ordered to a second reading.

An act to incorporate the Kansas Valley Railroad Company,
Was read a first time, and
Ordered to a second reading.

An act to incorporate the Tecumseh Lyceum and Library Association,
Was read a third time, and
Ordered to a second reading.

An act to prevent the firing of woods, marshes and prairies,
Was read a first time, and
Ordered to a second reading.

An act licensing and controlling auctioneers,
Was read a first time, and
Ordered to a second reading.

An act to establish a ferry opposite the town of St. Joseph, in Missouri,
Was read a first time, and
On motion by Mr. Mathias,
Referred to the Committee on Roads and Highways.

An act to encourage the destruction of wolves, &c.,
Was read a first time, and
Mr. McMeekin moved
That the bill be rejected.
Which was decided in the affirmative, by the following vote,
The ayes and noes being demanded by Mr, Waterson:

AYES—Messrs. Andersen, Banks, Browne, Croysdale, Harris, Hieskell, Kirk, Marshall, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Weddle, Whitlock and Younger—17.
NOES—Messrs. Blair, Johnson, Mathias, Wade, Williams, Wilkinson, Waterson and Mr. Speaker—8.
Absent—Mr. Houston.

Also,

Council bill entitled
An act to incorporate the Wathena Plank and Macadamized Road Company,
Was read a first time, and
Ordered to a second reading.

The following message was received from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been introduced into the Council:

An act to regulate interest of money.
An act to regulate practice at law.
An act concerning boatmen.
Also,
That the following Council bills have been passed by the Council:
An act for the speedy recovery of debts due on bonds and notes.
An act to regulate marks and brands.
An act concerning discounts and distributions.
An act to define the duties of Justices of the Peace in cases of breach of the peace.
An act concerning the action of detinue.
An act concerning contracts and promises.
An act concerning bonds and notes.
An act concerning the office of County Surveyor.
An act to declare a certain road a territorial road.
Council bill entitled
An act respecting public administrators,
Was taken up, read a first time, and
Ordered to a second reading.
Also,
An act for the organization of townships,
Was read a first time, and
Ordered to a second reading.

On motion by Mr. Mathias,
The House adjourned by the following vote,
The ayes and noes having been demanded by Mr. Waterson:

AYES—Messrs. Anderson, Banks, Browne, Croysdale, Harris, Hiskell, Mathias, McMeekin, Scott, Tebbs, Williams, Younger and Mr. Speaker—13.
NOES—Messrs. Blair, Kirk, McGee, Wade, Ward, Waterson, Weddle, and Wilkinson—8.
ABSENT—Messrs. Houston, Marshall, Whitlock and Payne—4.
ABSENT ON LEAVE—Mr. Johnson.

The House adjourned until 9 o'clock, A. M., to-morrow.

WEDNESDAY MORNING, JULY 25, 1855.

The House met pursuant to adjournment.

Prayer was offered by Rev. Mr. Peery, chaplain.

Journal of yesterday was read, and approved.

Mr. Kirk from the Committee on Roads and Highways, to whom was referred.

House bill No. 14, entitled

An act to establish a Ferry at the town of Calhoun, on Kansas river,

Reported the same back to the House, and recommended its passage.

On motion by Mr. Tebbs,

The report was adopted.

Mr. Kirk, from the same committee, to whom was referred

House bill No. 23, entitled

An act to establish a territorial road from a point opposite St. Joseph, in Missouri, to the Great Nemaha river,

Reported the same back to the House with the following amendments:

Amend by striking out in the 1st section, the words "where the present California road crosses the Great Nemaha river," and insert the words, "Cramer's crossing of the Great Nemahar iver, thence to the junction of the California road with the military road leading from Fort Leavenworth to Fort Kearney."

Strike out section 2 entirely, and insert

"SEC. 2. That Laban Pritchard, James R. Whitehead, and Thomas J. B. Cramer, be and are hereby appointed Commissioners to locate and establish said road according to the provisions of an act entitled "An act to locate and establish Territorial roads in the Territory of Kansas.'"

And as amended, recommended its passage.

On motion by Mr. Marshall,

The report was adopted.

Mr. Kirk, from the same committee, to whom was referred

House bill No. 24, entitled

An act to establish a territorial road from opposite Boston in Missouri, to a point on the California road, at or near the Half-way Grove in the Territory of Kansas.

Reported the same back to the House, and recommended its passage.

On motion by Mr. Marshall,

The report was agreed to.

Mr Harris, chairman of the same committee, to whom was referred

Council bill entitled

A bill to establish a Ferry opposite the town of St. Joseph, in Kansas Territory.

Reported the same back to the House, with the following amendments:

Amend by striking out the words "a bill" in the title, and insert "an act"; also in the title, strike out "Kansas Territory," and insert "the Territory of Kansas."

In the second section, strike out all after the word "repair," and insert instead thereof, "*Provided*, The said above-named persons shall procure within six months, next ensuing the passage of this act, a good and sufficient steam ferry boat for said ferry: *And provided further*, They shall be allowed proper and necessary time, in case of loss or damage of their said boat, to procure another."

Also strike out in the enacting clause,

"Kansas Territory," and insert "Territory of Kansas,"

And as amended, the committee recommended its passage.

On motion by Mr. Marshall,

The report was adopted.

On motion by Mr. Marshall,

The amendments were read a first time, the rules suspended, and the amendments read a second time, and,

On motion by Mr. Marshall,

The rules were suspended, the bill and amendments read a third time, and passed.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following bills have been introduced into the Council:

An act concerning costs.

An act to provide for the poor.

An act concerning boatmen.

An act to regulate practice at law.

An act regulating the interest of money.

An act respecting constables.

Also, that House bills of the following title have passed the Council:

An act to establish a ferry at the town of Leavenworth.

An act to establish a ferry at Thompson's landing, in the Territory of Kansas, opposite the city of St. Joseph, in Missouri.

On motion by Mr. McGee,

The House bill No. 7, entitled

An act to prevent stallions in certain cases from running at large,

Was taken up and read a third time.

Mr. Harris offered the following amendment by way of rider:

Amend by way of rider.

Strike out the words "two years" in the first section, and insert the words "one year."

On motion by Mr. Waterson,

The bill was ordered to lay on the table.

On motion by Mr. Anderson,

The bill and rider was referred to the committee on militia.

Mr. Anderson, chairman of the committee on elections, to whom were referred the House bills Nos. 1 and 2, entitled

An act to provide for the qualifications of voters, and to prevent the propagation of sentiments detrimental to the peace and quiet of the Territory;

And an act in relation to the qualifications of voters, and the collection of a poll tax in the Territory of Kansas;

Reported both of said bills back to the House, and recommended thei rejection, and also reported a substitute to both of said bills, of the following title:

An act to define the qualifications of voters, and to prevent the propagation of sentiments detrimental to the peace and quiet of the Territory;

And recommended its passage.

On motion by Mr. Waterson,

The report was egreed to.

The substitute was then read a first time, and ordered to a second reading.

Messrs. Mathias and Marshall, from the committee on judiciary and criminal jurisprudence, to whom was referred the House bill No. 19, entitled,

A bill for the divorce of John W. Freeland from his wife, Rebecca Freeland;

Submitted a majority report of the committee, recommending the rejection of the bill, and the adoption of a substitute reported of the following title:

An act to divorce John W. Freeland, of the Territory of Kansas, from his wife, Rebecca Freeland.

Mr. Williams, from the same committee, submitted a minority report, and recommended the rejection of the bill and substitute.

On motion by Mr. Wade,

The minority report was ordered to be printed.

Mr. Wade moved that the House adjourn.

Which was lost.

On motion by Mr. Blair,

The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

The Speaker *pro tem.* in the chair.

The question recurring upon the consideration of House bill No. 19,

Mr. Marshall moved

That the Committee to furnish to the House all the evidence touching the case,

Which was agreed to by the following vote.

The ayes and noes having been demanded by Mr. Kirk:

AYES—Messrs. Anderson, Banks, Blair, Browne, Johnson, Marshall, Mathias, McGee, McMeekin, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Younger and Mr. Speaker—19.

NOES—Mr. Kirk.

ABSENT—Messrs. Croysdale, Harris, Hieskell, Houston, Payne and Wilkinson—6.

Mr. Waterson moved

That no written statement be taken as evidence without the statement having been sworn to by the author.

Which was lost by the following vote.

The ayes and noes having been demanded by Mr. Waterson:

Ayes.—Messrs. Anderson, Banks, Kirk, McGee, Payne, Waterson, Williams, Wilkinson and Younger—9.

Noes.—Messrs. Blair, Browne, Harris, Johnson, Mathias, McMeekin, Scott, Tebbs, Ward, Weddle, Whitlock and Mr. Speaker—12.

Absent—Messrs. Croysdale, Hieskill, Houston, Marshall and Wade—5.

The evidence was then read in the case.

Mr. Wilkinson moved

That the bill and the evidence be postponed indefinitely.

Which was lost by the following vote,

The ayes and noes being demanded by Mr. Waterson:

Ayes.—Messrs. Anderson, Blair, Browne, Kirk, Payne, Waterson, Whitlock, Williams, Wilkinson and Younger—10.

Noes—Messrs. Banks, Croysdale, Harris, Johnson, Marshall, Mathias, McGee, McMeekin, Scott, Tebbs, Wade, Ward, Weddle and Mr. Speaker—14.

Absent—Messrs. Hieskill and Houston.

Mr. Marshall moved

That the majority report be received.

Which was lost by the following vote,

The ayes and noes having been demanded by Mr. Wilkinson:

Ayes.—Messrs. Banks, Croysdale, Harris, Johnson, Marshall, Mathias, McMeekin, Tebbs, Wade, Ward, Weddle and Mr. Speaker—12.

Noes—Messrs. Anderson, Blair, Browne, Kirk, McGee, Payne, Scott, Waterson, Whitlock, Williams, Wilkinson and Younger—12.

Absent—Messrs. Houston and Hieskill—2.

Mr. Anderson moved

The rejection of the original bill.

Which was agreed to by the following vote,

The ayes and noes having been demanded by Mr. Anderson:

Ayes—Messrs. Anderson, Banks, Blair, Browne, Kirk, McGee, Payne, Scott, Wade, Waterson, Whitlock, Williams, Wilkinson, and Younger—14.

Noes—Messrs. Croysdale, Harris, Johnson, Marshall, Mathias McMeekin, Tebbs, Ward, Weddle, Mr. Speaker—10.

Absent—Messrs. Houston and Hieskell—2.

The Joint Committee appointed by the two Houses to draw up a memorial to the President, requesting the removal of A. H. Reeder from the office of Governor, made the following report:

The undersigned Joint Committee, appointed to draw up a memorial to the President of the United States, in relation to the action of A. H. Reeder, Governor of the Territory of Kansas, beg leave to submit the foll the result of the action of said Committee, recommending the adoption o the same by the two Houses, and ask to be discharged from the further consideration of the matter.

JOHN H. STRINGFELLOW, Chairman.
A. M. COFFEY,
AND. McDONALD,
L. J. EASTIN, } Council.
WM. G. MATHIAS,
O. H. BROWNE,
SAML. A. WILLIAMS,
JOS. C. ANDERSON, } House.

Mr. McGee moved
That the report of the committee be adopted.
Which was agreed to.

The Memorial was then read.

The question being on the adoption of the Memorial.
Mr. Anderson called for the ayes and noes.
Which resulted as follows:

Ayes.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.
Absent—Messrs. Houston, and Hieskell—2.
So the Memorial was adopted.

The following message was received from the Council, by Mr. Grover, Assistant Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that a Council bill entitled
An act in relation to attachments,
Has been passed by the Council.

On motion by Mr. Marshall,
Council bill entitled
An act in relation to attachments,
Was taken up, read a first time, and
On motion by Mr. Marshall,
The rule was suspended, and the bill read a second time, and
On motion by Mr. Waterson,
The rule was again suspended, the bill read a third time and passed.

Mr. Wilkinson moved
That three thousand copies of the Veto Message of July 21st, and the Memorial to the President of the United States, be printed together, in pamphlet form for the use of the House.
Mr. Anderson moved
To substitute "two thousand copies,"
Which was accepted.

The motion was agreed to,
Mr. Weddle gave notice of his intention on to-morrow or some subsequent day to introduce a bill entitled,
An act respecting pedlars.

Mr. Blair gave notice of his intention on to-morrow or some subsequent day to introduce a bill entitled,
An act to locate and establish the permanent seat of government, in and for the Territory of Kansas.

Mr. Mathias introduced a bill entitled
An act to regulate marks and brands in the Territory of Kansas,
Which was read a first time, and
Ordered to a second reading.

Mr. Anderson offered the following concurrent resolution:

WHEREAS, In the opinion of this House, a legislative body is not the proper tribunal to grant divorces; not only for the reasons that the causes which should entitle parties to have bonds of so sacred a character severed, cannot be sufficiently examined and inquired into, but also because in consequence of this species of special legislation much time is lost, of value to the country.
AND WHEREAS, There will be laws empowering the Courts of the country to grant divorces for sufficient causes. And, whereas, Courts of Justice are the only proper tribunals which can properly take cognizance of such cases. Therefore, be it
Resolved, By the House of Representatives of the Territory of Kansas, (the Council concurring therein,) that the Legislative Assembly of said Territory will not entertain petitions for, nor grant divorces in any case,
Which was read a first time, and
Ordered to a second reading.
Mr. Waterson introduced a bill entitled
An act regulating enclosures,
Which was read a first time, and
Ordered to a second reading.

Mr. Waterson gave notice of his intention on to-morrow or some subsequent day to introduce a bill entitled
An act appropriating certain funds for the support of common schools.

On motion by Mr. Williams,
Leave of absence was granted to Mr. Hieskell until Monday next.

Mr. McGee gave notice of his intention, to-morrow or some subsequent day, to introduce bills of the following titles:

A bill to establish a territorial road commencing at Pawnee, running south to the Council Grove, and on to the town of Columbia, on the Neosho and Cottonwood rivers.
Also,
A bill to establish a road from One Hundred and Ten to the town of Columbia.

Mr. Kirk gave notice of his intention, on to-morrow or some subsequent day, to introduce bills of the following titles:

An act to locate a territorial road from Atchison to Marysville, in Kansas Territory.

Also,

An act to establish a road from Atchison to Calhoun, in Kansas Territory.

Also,

An act to locate a road from Atchison to Osawkee.

Also,

An act to locate a road from Atchison to Doniphan.

Also,

An act to grant to actual settlers the right to enter school lands at $1 25 per acre.

Mr. Weddle introduced a bill entitled

An act to incorporate the city of Kickapoo.

Which was read a first time, and ordered to a second reading.

Mr. Wilkinson introduced a bill entitled

An act to permanently fix the seat of government.

Which was read a first time.

Mr. Williams moved that the bill be rejected.

Mr. Wilkinson called for the ayes and noes,

Which resulted as follows:

Ayes.—Messrs. Anderson, Banks, Blair, Croysdale, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Ward, Weddle, Whitlock, Williams, Younger, Mr. Speaker—18.

Noes.—Messrs. Browne, Harris, McGee, Wade, Waterson, Wilkinson—6.

Absent.—Mr. Houston.

Absent on Leave.—Mr. Hieskell.

So the bill was rejected.

On motion by Mr. Anderson,

The House bill No. 11, entitled

An act to provide for the collection of demands growing out of contracts for sale of improvements upon public lands, in the Territory of Kansas,

Was taken up and the amendment made by the Council read a first time and,

On motion by Mr. McGee,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Anderson,

The rule was suspended, and the amendment read a third time, and the bill passed as amended.

Message from the Council, by Mr. Halderman, Chief Clerk.

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been introduced into the Council:

An act to locate a territorial road.

An act to declare a certain road a territorial road.

An act to organize the county of Arapaho;

An act for perpetuating testimony.

An act concerning forcible entry and detainer.

An act to restrain dram shops and taverns, and to regulate the sale of intoxicating liquors.

Mr. Mathias offered the following concurrent resolution, which was read a first time, rules suspended, and the resolution read a second and third time, and passed:

Resolved, By the House of Representatives of the Territory of Kansas, the Council concurring therein, that the two Houses go into joint session on to-morrow morning at 10 o'clock, for the purpose of signing their names to the memorial to be addressed to the President of the United States, in the matter concerning the removal of A. H. Reeder from the office of Governor of this Territory, and to appoint a suitable person to take charge of the said memorial, and to present it to the President.

Mr. Croysdale introduced a bill of the following title:

An act to authorize Thomas N. Stinson to establish a ferry across the Kansas river, at the town of Tecumseh.
Which was read a first time, and ordered to a second reading.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following concurrent resolution has passed the Council:

Resolved, The House of Representatives concurring therein, that the two Houses meet immediately in joint session in the hall of the House of Representatives, to sign the memorial just adopted by the two Houses, praying the removal of A. H. Reeder from the office of Governor of this Territory.

On motion by Mr. Mathias,
The Council concurrent resolution just read was taken up, and read a first time; the rule suspended and the resolution read a second time, and,
On motion by Mr. Anderson,
Was laid on the table.

On motion by Mr. McMeekin,
The House adjourned.

THURSDAY MORNING, July 26, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Message from the Council, by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the Council has concurred in the resolution to go into joint session this morning at 10 o'clock.

On motion by Mr. Mathias,
Leave of absence was granted to Dr. Fox, engrossing clerk, for six days.

Mr. Harris, from the committee on roads and highways, to whom was referred the House bill No. 43, entitled
An act to declare a certain road from the Shawnee Methodist Church South to the town of Tecumseh, a territorial road,
Reported the same back to the House, with the following amendment:
In section 1, after the word "Kansas," and before the word "by," insert the words "and running."
And as amended recommended its passage.
The report was adopted.

Mr. Harris, chairman of the same committee, to whom was referred also the House bill No. 37, entitled
An act to declare the road now leading from the California road near Wakefield, to Lecompton, along the ridge between Snyder and William Toddhunter's, a public highway,
Reported the same back with the following amendment:
Amend by inserting in the enacting clause, after the word "Kansas," the words "as follows;"
And as amended recommended its passage.
The report was agreed to.

Mr. Harris, also, chairman of the same committee, to whom was referred the House bill No. 41, entitled
An act to locate a territorial road from Atchison, Kickapoo, and Leavenworth, by way of Osawkee and Tecumseh, to intersect the Santa Fe road at or near One Hundred and Ten,
Reported the same back with the following amendments:
Amend by inserting "Governor and" in the enacting clause; and after "Kansas" in said clause add "as follows."
And in section 1, after the words "practicable route," strike out the words "by said commissioners."
And in section 3, after the words "county business," insert, "in the various counties through which the said road shall run."
And as amended recommended its passage.
The report was agreed to.

Mr. Harris, also, of the same committee, to whom was referred the House bill No. 44, entitled

An act to establish a territorial road from Leavenworth to Osawkee, *via* Alexandria and Ogdensburgh,

Reported the same back with the following amendments:

In the enacting clause strike out the words "Kansas Territory," and insert the words, "the Territory of Kansas."

And in section 3, after the word "business," insert the following: "In the several counties through which said road may run."

And as amended recommended its passage.

The report was agreed to.

Mr. Harris, also, chairman of the same committee, to whom was referred House bill No. 28, entitled

An act establishing certain roads in the Territory of Kansas,

Reported the same back with the following amendments:

At the end of the enacting clause, insert the words "as follows." And in section 4, after the word "second," insert "section."

And as amended recommended its passage.

The report was agreed to.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled

House bill entitled

An act to provide for the collection of demands growing out of contracts for sale of improvements on public lands in the Territory of Kansas.

On motion by Mr. Anderson,

Resolved, By the House of Representatives of the Territory of Kansas that the rule of this House requiring one day's notice for leave to bring in a bill, be dispensed with for the remainder of the session.

On motion by Mr. Wilkinson,

The House bill No. 22, entitled

An act to establish a ferry across the Kansas river at the town of Lawrence,

Was taken up and postponed indefinitely.

Mr. Kirk introduced a bill entitled

An act for a territorial road from the town of Atchison to the town of Doniphan.

Which was read a first time, and ordered to a second reading.

Also,

An act for a territorial road from the town of Atchison to the town of Marysville,

Which was read a first time, and ordered to a second reading.

On motion by Mr. Johnson,

The House bill No. 31. entitled

An act to charter a ferry at the town of Lawrence, in Kansas Territory,

Was taken up and postponed indefinitely.

Mr. Weddle introduced a bill entitled

An act to license and tax peddlers.

Which was read a first time, and ordered to a second reading.

Mr. McMeekin introduced bills of the following titles:
An act to establish a road from Osawkee to Grasshopper Falls.
Which was read a first time, and ordered to a second reading.

An act to establish a road from Kickapoo to Money creek, in the Territory of Kansas.
Which was read a first time, and ordered to a second reading.

An act to establish a territorial road from Atchison to Pawnee, by the way of Grasshopper Falls, in the Territory of Kansas.
Which was read a first time, and ordered to a second reading.

An act to establish a territorial road from Leavenworth to Indianola, by the way of Money creek and Grasshopper Falls, in the Territory of Kansas.
Which was read a first time, and ordered to a second reading.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to Indianola, in the Territory of Kansas.
Which was read a first time, and ordered to a second reading.

Mr. Anderson offered the following resolution:

Resolved, By the House of Representatives of the Territory of Kansas, the Council concurring therein, that John T. Brady be, and he is hereby authorized and instructed, to make out a proper index to the laws and resolutions passed at this session of the Legislative Assembly; also, to make an index to the journal of the proceedings of each of said Houses.

Which was read a first time, and ordered to a second reading.

Mr. Blair introduced a bill entitled
An act to establish a territorial road from a point opposite St. Joseph in Missouri, to Fort Riley, in the Territory of Kansas.
Which was read a first time, and ordered to a second reading.

Mr. Waterson introduced a bill entitled
An act appropriating certain funds for the support of common schools.
Which was read a first time, and ordered to a second reading.

Mr. Kirk, from the committee on roads and highways, to whom was referred the House bill No. 36, entitled
An act to view and mark out a road from the eastern boundary line of the Territory of Kansas, near Westport, Jackson county, Missouri, a part of the way, and to declare a part of the road as the present road which now runs to Fort Leavenworth a territorial road,
Reported the same back with the following amendment:
Strike out second section, and insert,
Sec. 2. Said commissioners shall receive such compensation as may hereafter be allowed by law.
And as amended recommended its passage.
The report was adopted.
The amendment was read a first time, and
On motion by Mr. Johnson,
The rule was suspended, and the amendment read a second time, and the bill as amended read a third time, and passed.

The second reading of bills being in order,
The following House bills were taken up, and severally disposed of as follows:

The House concurrent resolution, introduced by Mr. Anderson on yesterday, as follows:

WHEREAS, In the opinion of this House, a legislative body is not the proper tribunal to grant divorces, not only for the reason that the causes which should entitle parties to have bonds of so sacred a character severed cannot be sufficiently examined and inquired into, but also because in consequence of this species of special legislation, much time is lost of value to the country: AND WHEREAS, there will be laws empowering the courts of the county to grant divorces for sufficient causes: AND WHEREAS, courts of justice are the only proper tribunal who can properly take cognizance of such cases; therefore,

Be it resolved, By the House of Representatives of the Territory of Kansas, the Council concurring therein, that the Legislative Assembly of said Territory will not entertain petitions for, nor grant divorces, in any case.

Which was read a second time, and laid over for the present.

An act to regulate marks and brands in the Territory of Kansas,
Was read a second time, and,
On motion by Mr. Mathias,
Referred to the committee on agriculture.

An act to authorize Thomas N. Stinson to establish a ferry across the Kansas river, at the town of Tecumseh,
Was read a second time, and referred to the committee on roads and highways.

An act to define the qualifications of voters, and to prevent the propagation of sentiments detrimental to the peace and quiet of the Territory,
Was read a second time, and,
On motion by Mr. Anderson,
Was made the special order of the day for Saturday next.

An act regulating enclosures,
Was read a second time, and,
On motion by Mr. Payne,
Referred to the committee on agriculture.

An act to incorporate the city of Kickapoo,
Was read a second time, and,
On motion by Mr. Weddle,
Referred to the committee on corporations.

In pursuance to the concurrent resolution of yesterday, the Council, with their officers, arrived in the hall of the House.

The President of the Council took the chair, and announced the object for which the joint session had assembled, when,

On motion by Mr. Barbee, of the Council,

The rolls of the two Houses were called, and the following members of the House answered to their names:

Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Johnson, Kirk, Mullins, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, Mr. Speaker—23.

Absent, Mr. Houston.

Absent on leave, Mr. Hieskell.

Sick, Mr. Marshall.

On motion by Mr. Coffey, of the Council,

The rolls of the Council and House were called, and the memorial signed by the members thereof respectively.

On motion by Mr. Rees, of the Council,

Permission was granted to those members absent to attach their signatures to the memorial before the transmittal of the same.

On motion by Mr. Speaker Stringfellow,

The joint session went into a secret session.

On motion by Mr. Richardson, of the Council,

The two Houses adjourned to the Council Chamber.

SECRET SESSION.

On motion by Mr. Speaker Stringfellow,

Resolved, That a copy of the memorial and concurrent resolution be furnished the Governor immediately, and that he be informed that they will be sent forthwith to the President.

Mr. Rees offered the following resolution;

Resolved, That the joint resolution adopted by the two Houses in relation to going into joint session, be recommitted to the two Houses, with instructions to strike out that part in relation to the selection of a special messenger.

The Chair decided the resolution out of order.

Mr. Rees appealed from the decision of the Chair.

The Chair was sustained.

On motion by Mr. Tebbs,

Resolved, That the joint session now go into an election of a proper person to carry the memorial to the President.

Mr. McMeekin nominated Mr. Speaker Stringfellow.

Mr. Croysdale nominated Mr. McDonald.

The roll being called, there appeared—for Mr. Stringfellow, 21; for Mr. McDonald, 12.

The members of the House of Representatives voted as follows:

For Mr. Stringfellow—Messrs. Anderson, Banks, Browne, Harris, Johnson, Kirk, Marshall, Mullins, McGee, McMeekin, Scott, Tebbs, Ward, Whitlock, Williams, Wilkinson, Younger—17.

For Mr. McDonald—Messrs. Blair, Croysdale, Payne, Wade, Waterson, Weddle, Mr. Speaker—7.
Absent—Mr. Houston.
Absent on leave—Mr. Hieskell.
Sick—Mr. Marshall.

Mr. Stringfellow having received a majority of all the votes cast, was declared duly elected.
On motion by Mr. Mathias,

Resolved, That the Speaker of the House of Representatives, Dr. J. H. Stringfellow, be and he is hereby authorized, and is hereby appointed, to present in person to the President of the United States the memorial, and other papers mentioned in said memorial, relating to the removal of A. H. Reeder, Governor of the Territory of Kansas.

On motion by Mr. Coffey, of the Council,
The injunction of secrecy was removed.
On motion by Mr. Coffey, of the Council,
The joint session was dissolved.

The members of the House then retired from the hall of the Council, and were called to order.

On motion by Mr. Williams,
The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

The second reading of bills being in order,
The following House bills were taken up and severally disposed of, as follows:

An act concerning arbitration and references,
Was read a second time, and,
On motion by Mr. Waterson,
Referred to the committee on judiciary and criminal jurisprudence.

An act to establish a territorial road from Delaware, on the Missouri river, to Calhoun, and other points,
Was read a second time, and,
On motion by Mr. Weddle,
Referred to the committee on roads and highways.

An act to establish a territorial road from St. Joseph to Marysville,
Was read a second time, and,
On motion by Mr. Wade,
Referred to the committee on roads and highways.

An act respecting vagrants,
Was read a second time, and,
On motion by Mr. Johnson,
Referred to the committee on judiciary and criminal jurisprudence.

An act to establish a ferry at Delaware, in Kansas Territory,
Was read a second time, and,
On motion by Mr. Wade,
Referred to the committee on roads and highways.

An act declaring certain roads public highways,
Was read a second time, and,
On motion by Mr. Payne,
Referred to the committee on roads and highways.

On motion by Mr. Blair,
Leave of absence was granted to Mr. Stringfellow for this evening.

The reading of engrossed bills being in order,
The following bills were read a third time, and severally disposed of, as follows:

An act to declare the road now leading from the California road, near Wakefield, to Lecompton, along the ridge between Snyder and William Toddhunter's, a public highway,
Was read a third time and passed.

An act to declare a certain road from the Shawnee Methodist Church South to the town of Tecumseh, a territorial road,
Was read a third time and passed.

An act to establish a territorial road from a point opposite St. Joseph, in Missouri, to the Great Nemaha river,
Was read a third time and passed.

An act to establish a territorial road from opposite Boston, in Missouri, to a point on the California road at or near the Half-way Grove, in the Territory of Kansas,
Was read a third time and passed.

An act to establish a ferry at the town of Calhoun, in Kansas,
Was read a third time and passed.

An act declaring certain roads public highways, was taken up,
On motion by Mr. Wilkinson,
And the vote referring the bill was reconsidered.
Mr. Payne then withdrew his motion to refer;
And the bill was read a third time and passed.

Mr. Stringfellow tendered the following resignation of his appointment as a messenger to carry the memorial to the President of the United States, asking the removal of the Governor of the Territory:

To the Honorable the Council and House of Representatives of the Territory of Kansas:

The undersigned finds that so many obstacles interpose, and so many difficulties surround his appointment as messenger to bear your memorial to Washington, that he is unavoidably compelled to decline, and requests that some one else be selected to bear said memorial.

Respectfully,
J. H. STRINGFELLOW.

Mr. Joseph M. Fox, engrossing clerk of the House, tendered his resignation as follows:

MR. SPEAKER:

I hereby resign my office as Engrossing Clerk of the House of Representatives of Kansas Territory. J. M. FOX.

The House accepted the resignation.

Mr. Speaker Stringfellow's resignation was then taken up, read a first time, and,

On motion,

The rule was suspended, and the resignation read a second time.

Mr. Waterson offered the following resolution:

Resolved, By the House of Representatives, the Council concurring therein, that the two Houses go into joint session this evening, at half-past 3 o'clock, to act upon the matter of the resignation of Hon. John H. Stringfellow, as bearer of memorial to the President, and to elect another to fill the vacancies so made, or provide some other mode by which said memorial may be transmitted.

Which was read a first time, and,

On motion by Mr. Mathias,

The rule was suspended, and the resolution read a second and third time, and passed.

On motion by Mr. McMeekin,

Resolved, That this House now go into an election of engrossing clerk to fill the vacancy occasioned by the resignation of J. M. Fox.

Nominations for engrossing clerk being in order,

Mr. McMeekin nominated Jackson C. Thompson.

Mr. Harris nominated Wm. J. Osborne.

No other nominations being made, the vote stood as follows:

For Mr. Thompson—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger—20.

For Mr. Osborne—Messrs. Harris, Wade, Mr. Speaker—3.

Mr. Thompson having received a majority of all the votes cast, was declared duly elected engrossing clerk.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled

House bill No. 17, entitled

An act to establish a Ferry at the town of Leavenworth, in the Territory of Kansas.

On motion by Mr. Waterson,

House bill No. 12, entitled

An act to establish a Ferry at Thompson's Landing, opposite the city of St. Joseph, in Missouri,

Was taken up, and the Council amendment read a first time, and

On motion

The rule was suspended, and the amendment read a second and third time, and the bill as amended passed.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the House concurrent resolution to go into a Joint Session at half past three 3 o'clock, has been concurred in by the Council.

On motion by Mr. Wilkinson,

House bill No. 38, entitled

An act to establish a ferry across the Kansas river at the town of Lawrence, Kansas Territory,

Was taken up, and the bill as amended by the committee, read a third time and passed.

On motion by Mr. Mathias,

Council bill entitled

A bill to incorporate the city of Leavenworth,

Was taken up and read a third time.

Pursuant to concurrent resolution, the Council with their officers arrived in the Hall of the House.

The President of the Council took the Chair, and announced the object for which the Joint Session had assembled.

The resignation of J. H. Stringfellow, having been read,

The President announced that nominations were in order for a bearer of the Memorial to the President.

Mr. Coffey of the Council, nominated Andrew McDonald.

Mr. McMeekin of the House, nominated Wm. G. Mathias.

The rolls of the two Houses were then called, when there appeared.

For. Mr. McDonald, - - - - -	21
For Mr. Mathias, - - - - -	12

The members of the House of Representatives voted as follows:

For Mr. McDonald,
Messrs. Banks, Croysdale, Harris, Johnson, Kirk, Mathias, McGee, Scott, Wade, Whitlock and Younger—11.

For Mr. Mathias:
Messrs. Blair, Browne, McMeekin, Payne, Tebbs, Ward, Waterson, Weddle, Williams, Wilkinson and Mr. Speaker—11.

Absent—Messrs. Anderson and Houston—2.
Absent on Leave—Mr. Hieskell,
Sick—Mr. Marshall.

Mr. McDonald having received a majority of all the votes given, was declared duly elected as bearer of the Memorial to the President of the United States.

On motion by Mr. Coffey, of the Council,
The certificate of his election was orde red to be granted and signed by the Presiding Officers of both Houses, and attested by the Clerks of the two Houses.

On motion by Mr. Speaker Stringfellow,

The Clerks of each House were ordered to deliver to Mr. McDonald all the papers, &c.. referred to in the Memorial.

On motion by Mr. Chapman of the Council,
The Joint session was dissolved.

The Council having retired from the Hall of the House,
Mr. Speaker took the Chair, and
Called the House to order.

On motion by Mr. Mathias,
Three hundred copies of the various acts of Congress relating to the Territory of Kansas,
Was ordered to be printed.

On motion by Mr. Anderson,
The House adjourned.

FRIDAY MORNING, JULY 27, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read, corrected, and approved.

Mr. Anderson, Chairman of the Committee on Enrolled bills, reported as truly enrolled
House bill No. 12, entitled
An act to establish a Ferry at Thompson's Landing, in the Territory of Kansas, opposite the city of St. Joseph, in Missouri.

Mr. Harris, Chairman of the Committee on Roads and Highways, to whom was referred
The petition of Louis Trombly,
Reported by bill of the following title, and recommended its passage.
An act granting to Louis Trombly exclusive right to a bridge across the Vermillion branch of Big Blue river, at the crossing of the Independence and California road.
The report was agreed to, and
The bill was read a first time; and ordered to a second reading.

Mr. Banks, Chairman of the Committee on Agriculture, to whom was referred
House bill No. 55, entitled
An act regulating enclosures,
Reported the same back with the following amendment:
Amend by striking out in section 2, the words "and a half,"
And as amended, recommended its passage.
The report was agreed to.

Mr. Weddle, Chairman of the Committee on Militia, to whom was referred
House bill No. 7, entitled
An act to prevent stallions in certain cases, from running at large,
Reported a substitute to said bill of the same title, and recommended its passage.

Mr. Weddle withdrew his report, and asked for the reading of the bill,
Which was read a first time, and
On motion by Mr. McGee,
The rule was suspended and the bill read a second time, and
On motion by Mr. Waterson,
Was referred to the Committee on Agriculture.

Mr. Wilkinson introduced a bill entitled
An act concerning Commissioners, Surveyors, and Chain Carriers of roads and highways,
Which was read a first time, and
The rule suspended and the bill read a second time and ordered to be printed.

Mr. Tebbs introduced a bill entitled

An act to authorize John B. Chapman and others to construct a railroad from Wyandott city in Kansas Territory, to the town of Saline,

Which was read a first time and ordered to a second reading.

Mr. Johnson introduced a bill entitled

An act to view and mark out a road from Black Jack Point on the Santa Fe road, thence by the way of John M. Bernard's store to a point on the Santa Fe road, at or near McGee's, on One Hundred and Ten creek,

Which was read a first time and ordered to a second reading.

Mr. McMeekin introduced a bill entitled

An act to authorize James Findley to establish a bridge across the Wakarusa river,

Which was read a first time and ordered to a second reading.

The second reading of the bills being in order,

The following House bills were taken up, and severally disposed, of as follows:

An act for a territorial road from the town of Atchison to the town of Marysville,

Was read a second time, and

Referred to the Committee on Roads and Highways.

An act appropriating certain funds for the support of Common schools,

Was read a second time, and

On motion by Mr. Weddle,

Referred to the Committee on Education.

An act for a territorial road from the town of Atchison to the town of Doniphan,

Was read a second time, and

On motion by Mr. Kirk,

Referred to the committee on Roads and Highways.

An act to license and tax pedlars,

Was read a second time, and

On motion by Mr. Wilkinson,

Referred to the Committee on Finance.

An act to establish a territorial road from Osawkee to Grasshopper Falls,

Was read a second time, and

On motion by Mr. McMeekin,

Referred to the Committee on Roads and Highways.

An act to establish a road from Kickapoo to Money Creek, in Kansas Territory,

Was read a second time, and

On motion by Mr. Kirk,

Referred to the Committee on Roads and Highways.

An act to establish a territorial road from Atchison to Pawnee, by the way of Grasshopper Falls, in the Territory of Kansas,

Was read a second time, and

On motion by Mr. Johnson,

Was referred to the Committee on Roads and Highways.

An act to establish a territorial road from Leavenworth to Indianola by the way of Money Creek and Grasshopper Falls, in the Territory of Kansas,
Was read a second time, and
On motion by Mr. McMeekin,
Referred to the Committee on Roads and Highways.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to Indianola, in the Territory of Kansas.
Was read a second time, and
On motion by Mr. Blair,
Referred to the Committee on Roads and Highways.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to Fort Riley, in the Territory of Kansas,
Was read a second time, and
On motion by Mr. Blair,
Referred to the Committee on Roads and Highways.
The reading of Engrossed bills being in order,
The following bills were taken up, and severally disposed of as follows:

An act establishing certain roads in the Territory of Kansas,
Was reac a third time and passed.
An act to locate a territorial road from Atchison, Kickapoo and Leavenworth, by way of Osawkee and Tecumseh, to intersect the Santa Fe road at or near One Hundred and Ten,
Was read a third time and passed.

An act to establish a territorial road from Leavenworth to Osawkee, *via* Alexandria and Ogdensburgh,
Was read a third time and passed.

An act regulating marks and brands in the Territory of Kansas,
Was read a third time and passed.

The following resolution was taken up
On motion by Mr. Anderson.

Resolved, By the House of Representatives of the Territory of Kansas, (the Council concurring therein,) that John T. Brady, be and is hereby authorised and instructed to make out a proper index to the Laws and Resolutions passed at this session of this Legislative Assembly. Also, to make out an index to the Journal of the proceedings of each of said Houses.

Mr. Anderson asked leave to withdraw the resolution.
Which was granted.

Mr. Anderson then offered the following resolution:

Resolved, By the House of Representatives, (the Council concurring therein,) that Samuel A. Lowe, be, and is hereby authorised and instructed to make out a proper Index to the Laws and Resolutions passed at this session of the Legislature. Also, that he make an Index to the Journals of the proceedings of each House,
Which was read the first time,

The rule suspended and the resolution read a second and third time, and
On motion by Mr. Speaker Stringfellow,
The resolution was laid over for the present.

The following House concurrent resolution, introduced by Mr. Anderson, was then taken up:

WHEREAS, In the opinion of this House, a legislative body is not the proper tribunal to grant divorces; not only for the reasons that the causes which should entitle parties to have bonds of so sacred a character severed, cannot be sufficiently examined and inquired into, but also because in consequence of this species of special legislation much time is lost, of value to the country.

AND WHEREAS, There will be laws empowering the Courts of the county to grant divorces for sufficient causes, And, whereas, Courts of Justice are the only proper tribunals which can properly take cognizance of such cases; Therefore, be it

Resolved, By the House of Representatives of the Territory of Kansas, (the Council concurring therein,) that the Legislative Assembly of said Territory will not entertain petitions for, nor grant divorces in any case,

Which was read a third time.

Mr. Speaker Stringfellow offered as an amendment, that the word "should," shall be inserted instead of the word "will," in the second clause, and instead of the word "can," in the third clause,

Which was accepted.

The qestion being on the passage of the resolution,
Mr. McMeekin called for the ayes and noes,
Which resulted as follows:

AYES.—Messrs. Anderson, Banks, Browne, Croysdale, Kirk, Marshall, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Whitlock, Williams and Wilkinson—17.

NOES—Messrs. Blair, Harris, Johnson, Weddle, Younger and Mr. Speaker—6.

ABSENT—Mr. Houston.

ABSENT ON LEAVE—Mr. Hieskell.

SICK—Mr. Mathias.

On motion by Mr. Harris,
The Sergeant-at-Arms was ordered to bring in absent members.

On motion by Mr. Johnson,
Leave of absence was granted to Mr. Whitlock, until Tuesday next.

On Motion by Mr. McMeekin,
The House adjourned.

EVENING SESSION.

House met pursuant to adjournment.

The reading of bills and other business from the Council being in order, The following bills were read and disposed of as follows:

An act to establish a Public Ferry at the town of Iowa Point, in Kansas Territory,
Was read a second time, and
On motion by Mr. Kirk,
The rule was suspended, the bill read a third time and passed.

An act to incorporate the Watena Plank and Macadamized Road Company,
Was read a second time, and
On motion by Mr. Waterson,
Referred to the committee on corporations.
An act regulating the erection of county buildings,
Was read a third time and passed.

An act to incorporate the Mount Aurora Cemetery and Town Association,
Was read a third time and passed.
An act in relation to county organizations, powers and privileges,
Was read a third time and passed.
An act to establish a ferry opposite the town of St. Joseph, in the Territory of Kansas,
Was taken up, and the amendment of the Council read a first time, and
On motion by Mr. Waterson,
The rule was suspended and the amendment read a second and third time, and the bill as amended, passed.

The following message was received from the Council, by Mr. Grover, Assistant Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that Council bills of the following titles have been passed by the Council:

An act to locate a territorial road.
An act to declare a certain road a territorial road.
An act to establish a territorial road from William King's, to the Catholic Osage Mission.
An act regulating weights and measures.
An act to restrict dramshops and taverns, and to regulate the sale of intoxicating liquors.
An act to organize the county of Arapahoe, and to define the boundaries thereof.
An act incorporating the city of Lawrence, in Kansas Territory.
Also,
House bills of the following titles:

An act declaring Big Blue river a public highway.
An act to establish a territorial road from a point opposite Westpoint, in Missouri, to Cofachiqui, in Kansas Territory.
An act to establish a road from the line near Westport, in Missouri, to Fort Scott, in the Territory of Kansas.
An act to establish a ferry opposite the town of St. Joseph, in Missouri.
An act to incorporate the Lecompton Bridge Company.
An act concerning corporations.

Council bill entitled
An act to incorporate the city of Leavenworth,
Was taken up, read a third time, and passed by the following vote:

AYES.—Messrs. Anderson, Browne, Croysdale, Johnson, Kirk, Marshall, McGee, Payne, Scott, Wade, Ward, Waterson, Weddle, Whitlock and Williams—15.
NOES—Messrs. Blair, McMeekin and Mr. Speaker—3.
ABSENT—Messrs. Banks, Harris, Houston and Younger—4.
ABSENT ON LEAVE—Mr. Hieskill—1.
SICK—Mr Mathias.
NOT VOTING—Messrs. Tebbs and Wilkinson—2. (excused.)

Message from the Council, by Mr. Halderman, Chief Clerk.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled House bills of the following titles:

An act to provide for the collection of demands growing out of contracts for sale of improvements on public lands in the Territory of Kansas.
An act to establish a ferry at Thompson's landing, in the Territory of Kansas, opposite the city of St. Joseph, in Missouri.
An act to establish a ferry at the town of Leavenworth.

Council bill entitled
An act concerning apprentices,
Was read the third time.
Mr. Wilkinson moved that the bill be laid on the table.
Which was lost.
The question being upon the passage of the bill.
It was passed by the following vote.
Mr. Wilkinson called for the ayes and noes.
Which resulted as follows:

AYES.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Marshall, McGee, McMeekin, Payne, Scott, Ward, Waterson, Weddle, Whitlock, Williams and Mr. Speaker—17.
NOES.—Messrs. Kirk, Tebbs, Wade, Wilkinson and Younger—5.
ABSENT.—Messrs. Houston and Johnson—2.
ABSENT ON LEAVE.—Mr. Hieskell.
SICK—Mr. Mathias.

The following message was received from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following concurrent resolution has been adopted by the Council:

Resolved, By the Council, (the House of Representatives concurring therein) the committee on enrolled bills, and a similar committee of the House of Representatives shall act as a joint committee of the two Houses, and whenever a bill shall be enrolled, it shall be examined by said joint committee, and if found truly enrolled, such committee shall report to each House, and the report shall be entered upon the Journals of both Houses, and the committee shall present the bill to the Governor for his approval, and report the day and hour when the bill was delivered to the Governor, which report shall be made to each House and entered upon the Journals of both Houses.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the following concurrent resolution:

Resolved, The House of Representatives concurring therein, that the two Houses meet in joint session on Friday next at 2 o'clock, P. M. for the purpose of locating permanently the seat of government for the Territory of Kansas, at which the following shall be the order of proceedings:

Any member may name any place he may wish voted for.

When nominations are all made, the Joint Session shall proceed to vote upon them *viva voce*.

If more than two places are in nomination, and no one shall have a majority of all the votes cast, the place having the fewest votes shall be dropped and a second vote taken, and so proceed until some one place shall receive a majority of all the votes cast.

The place so receiving the majority of votes shall be declared by law to be the permanent seat of government for Kansas Territory, and all the provisions of Law necessary and proper to this purpose, shall be immediately enacted.

On motion by Mr. Whitlock,

The rule was suspended, and the Council concurrent resolution for a Joint Session for the location of a permanent seat of government,

Was taken up and read a first time.

On motion by Mr. Tebbs,

The resolution was rejected.

On motion by Mr. Waterson,

The rule was suspended, and the Council concurrent resolution concerning Joint Committee on enrolled bills,

Was taken up and read a first time, and

On motion by Mr. Marshall,

The rule was suspended, the resolution was read a second time and passed.

Council bill entitled
An act for the organization of townships,
Was read a second time and ordered to a third reading.

An act concerning divorce and alimony,
Was read a second time, and
On motion by Mr. Waterson,
Referred to the committee on judiciary.

An act respecting public administrators,
Was read a second time, and
On motion by Mr. Waterson,
Referred to the committee on judiciary.

An act licensing and controlling auctioneers,
Was read a second time, and
On motion by Mr. Kirk, referred to the committee on finance.

An act preventing the firing of woods, marshes and prairies,
Was read a second time, and
On motion by Mr. Anderson,
Referred to the committee on agriculture.

An act to incorporate the Kansas Valley Raiload Company,
Was read a second time, and
On motion by Mr. Weddle,
Referred to the committee on corporations.

An act to incorporate the Tecumseh Lyceum and Library Association,
Was read a second time, and
On motion by Mr. Anderson,
The rule was suspended, and the bill read a third time and passed.

An act concerning costs,
Which was read a first time, and
Ordered to a second reading.

An act to incorporate a Railroad from the Missouri State line to the western Kansas line,
Was read a first time, and
On motion by Mr. Anderson,
The rule was suspended and the bill read a second time, and
On motion by Mr. Blair,
Referred to the committee on corporations.

An act regulating the authentication of statutes, and the taking effect of laws,
Was read a first time, and
On motion by Mr. Waterson,
The rule was suspended, the bill read a second time, and
On motion by Mr. Anderson,
Referred to the committee on judiciary.

An act regulating the interest of money,
Was read a first time, and
On motion by Mr. McGee,

The rule was suspended, and the bill read a second time, and
On motion by Mr. Anderson,
Referred to a special committee consisting of Messrs. Anderson, Williams and Marshall.

An act to punish decoying of slaves from their masters,
Was read a first time, and
On motion by Mr. Anderson,
The rule was suspended, the bill read a second time, and
On motion by Mr. Browne,
Referrred to committee on judiciary.

An act concerning boatmen,
Was read a first time, and
Ordered to a second reading.

An act to declare a certain road a territorial road,
Was read a first time and ordered to a second reading.
An act incorporating the city of Lawrence, Kansas Territory,
Was read a first time, and
Ordered to a second reading.

An act to declare certain roads public highways,
Was read a first time and ordered to a second reading.

An act regulating marriages,
Was read a first time, and
On motion by Mr. Blair,
The rule was suspended and the bill read a second time, and
On motion by Mr. Williams,
Referred to the committee on judiciary.

An act to locate a territorial road from the Missouri State line to Fort Atkinson,
Was read a first time, and
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and
On motion by Mr. Johnson,
Referred to the committee on roads and highways.

An act to establish the office of County Recorder,
Was read a first time and ordered to a second reading.

An act regulating oaths, and prescribing the forms of oaths of office,
Was read a first time, and
On motion by Mr. Johnson,
The rule was suspended, and the bill read a second time, and
On motion by Mr. Harris,
Referred to the committee on judiciary.

An act to restrain intercourse with the Indians,
Was read a first time, and
On motion by Mr. Weddle,

The rule was suspended and the bill read a second time, and
On motion by Mr. Marshall,
Referred to a select committee of three, consisting of Messrs. Marshall, Anderson and Williams.

An act concerning inquests,
Which was read a first time, and ordered to a second reading.
An act concerning coroners,
Was read a first time, and
On motion by Mr. Blair,
The rule was suspended and the bill read a second time, and
On motion by Mr. Kirk,
Referred to the committee on judiciary.

An act act adopting the common law as the rule of action in this Territory,
Was read a first ttme, and
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and
On moiion by Mr. Marshall,
Referred to the committee on judiciary.

Message from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been passed by the Council:

An act concerning the perpetuating of testimony.
An act establishing a territorial road from the town of Iowa Point to Engatah, on the Arkansas river.
An act concerning forcible entry and detainer.
An act concerning attorneys at law.

Mr. Marshall introduced a bill of the following title:
An act supplemental for the qualifications of voters,
Which was read a first time, and
On motion by Mr. Waterson,
The rule was suspended and the bill read a second time and laid over.

Mr. Waterson introduced a bill entitled
An act to view and mark out a territorial road from Doniphan city to Kelley's Ferry, on the Missouri river,
Which was read a first time and ordered to a second reading.

On motion by Mr. Anderson,
House bill No. 52, entitled
An act to define the qualifications of voters, and to prevent the propagation of sentiments detrimental to the peace and quiet of the Territory,
Was taken np and recommitted to the committee on elections.

On motion by Mr. Anderson,
The concurrent resolution authorising Samuel A. Lowe to make out a

proper index to the laws and resolutions of the present session of the Legislature, and of the Journals of proceedings in each House,

Was taken up, and

The following substitute offered:

Resolved, By the House of Representatives of the Territory Kansas, the Council concurring therein, that the Secretary and Assistant Secretary of the Council, and the Chief Clerk and Assistant Clerk of the House of Representatives of said Territory, be authorized and instructed to copy an index to Journals of their respective Houses, and that Samuel A. Lowe be authorized and instructed to copy, make marginal notes and index the laws of said Territory, which may be passed by the present session of the General Assembly.

Which was read a first time, and

On motion by Mr Anderson,

The rule was suspended, the resolution was read a second time and passed.

Mr. Browne offered the following resolution, which was adopted:

Resolved, That all the reports of committees, except reports of the committee on engrossed and enrolled bills, shall be signed by the members of the committee approving the same, and that it is the desire of this House, that the members of the several committees should all be consulted before reports are made, where it is convenient so to do.

On motion by Mr. McMeekin,

Leave of absence was granted to Mr. Payne until Wednesday next.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been introduced into the Council:

An act concerning replevin.
An act concerning set-off.
An act concerning securities.
Also,
That a bill entitled
An act to establish a ferry at Douglas, on the Kansas river
Has been amended by the Council and passed.

On motion by Mr. Anderson,

The House adjourned until Monday morning, 9 o'clock.

MONDAY MORNING, July 30, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Speaker Stringfellow, (Mr. Anderson in the chair,) offered the following concurrent resolution:

Resolved, By the House of Representatives, the Council concurring therein, that the District Attorney be requested to advise this Legislative Assembly, whether, in his opinion, the act providing for the temporary session of this Assembly at the Shawnee Manual Labor School is valid, and whether the adjournment of this Assembly to this place, in pursuance of such act, was legal; and whether it is competent for this Assembly, if its present session be legal, to confer on the probate courts jurisdiction, civil or criminal, concurrent with the district courts.

And resolved, *further*, That the District Attorney be requested to present these questions to the Supreme Court at its first session, and solicit from that court an opinion on said interrogatories.

The resolution was read a first time, and,

On motion by Mr. Speaker,

The rule was suspended, and the resolution read a second time, and passed by the following vote,

The ayes and noes having been demanded by Mr. Mathias:

Ayes.—Messrs. Anderson, Banks, Browne, Croysdale, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Wade, Ward, Waterson, Weddle, Williams, Wilkinson, Younger, Mr. Speaker—18.

Absent—Messrs. Blair, Houston, Scott, Tebbs—4.

Absent on leave—Messrs. Harris, Hieskell, Payne, Whitlock—4.

On motion by Mr. McGee,

Leave of absence was granted to Mr. Harris for five days.

The committee on finance made the following report:

Mr. Speaker:

We, the committee on finance, to whom was referred the House bill No. 61, entitled "An act to license and tax peddlers;" and also Council bill entitled "An act to license and control auctioneers," would beg leave to report favorably and recommend their passage.

A. WILKINSON,
H. D. McMEEKIN, } Committee.
GEO. W. WARD,

The report was adopted.

The committee on corporations made the following report:

MR. SPEAKER:

The committee on corporations, to whom was referred House bill No. 56, entitled "an act to incorporate the city of Kickapoo," report the same back with the following amendments, and recommend its passage as amended:

In the enacting clause, after the word "the," insert "Governor and."

Sec. 11. After the word "taxes," in the third line, insert, "not exceeding half of one per centum."

Strike out section 26 entirely, and insert as a substitute:

Sec. 26. The first election for mayor, councilmen, and other officers of said city of Kickapoo, shall take place under the control of E. S. Wilhite, William Eliot, and Dupey Snell, who are hereby appointed to act as judges of said election, and empowered to appoint a suitable person to act as clerk, and to do and perform all things necessary to be done in the conducting of such election as they may think just and right.

WATERSON, *Chairman.*
MARSHALL.

On motion by Mr. Weddle,

The report was adopted.

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time, and adopted.

Also,

The same committee made the following report:

MR. SPEAKER:

The committee on corporations, to whom was referred Council bill entitled "an act to incorporate the Wathena plank and macadamized road," report the same back with the following amendments, and recommend its passage as amended:

In the enacting clause strike out "General Assembly," and insert "Governor and Legislative Assembly."

Amend section 1, by striking out the word "and" before the name of "Henry S. Creal," and insert after said name the names of "Daniel Vanderslice, Carey B. Whitehead, Joel P. Blair, and Martin V. Rodgers."

Sec. 11. Strike out the word "State" in the second line, and insert "Territory."

WATERSON,
MARSHALL.

The report was agreed to.

On motion by Mr. Waterson,

The rule was suspended, and the amendment read a second time and agreed to.

Mr. Mathias, Chairman of the committee on judiciary and criminal jurisprudence to whom was referred the council Bill entitled

An Act regulating the authentication of statutes and the taking effect of Laws,

Reported the same back with the following amendments:

Strike out in the enacting clause the words "Kansas Territory," and insert the words "The Territory of Kansas," and at the end of the first section add the words "the Territory,"

And as amended recommended its passage.

The report was agreed to.

Mr. Kirk from the committee on roads and highways to whom was referred House bill No. 46, entitled

An Act to establish a Territorial road from St. Joseph to Marysville,

Reported the same back and recommended its passage.

The report was agreed to.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred the Council bill entitled

An act concerning coroners,

Reported the same back with the following amendments:

Strike out in the enacting clause the words "Kansas Territory," and insert the words, "the Territory of Kansas."

In section 1, at the beginning of said section, insert the words following, to-wit: "The county commissioners or."

And as amended recommended its passage.

The report was agreed to.

On motion,

The rule was suspended, and the amendment read a second time.

Mr. Mathias, also, from the same committee, to whom was referred the Council bill entitled

An act adopting the common law as tha rule of action in this Territory,

Reported the same back with the following amendments:

Strike out after the word "which," in the tenth line, the following words: "is or may be in force for the time being," and insert the words following, to-wit: "May from time to time be made or passed, by this or any subsequent Legislative Assembly of the Territory of Kansas."

And as amended recommended its passage.

On motion by Mr. Weddle,

The rule was suspended, and the amendment read a second time.

The committee on education made the following report:

Mr. Speaker:

The committee on education, to whom was referred House bill No. 68, entitled

An act appropriating certain funds for the support of common schools,

Report the same back without amendment, and recommend its passage.

WATERSON, YOUNGER, JOHNSON,	Committee.

The report was adopted.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 33, entitled

An act respecting lost money and goods,

Reported the same back with the following amendments:

In section 4, after the word "business," insert the words following, to-wit: "In the county in which said money or goods were lost."

And in section 6, after the word "Territory," insert, "nearest to the place where the parties so finding shall reside;"

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Waterson,
The rule was suspended, and the amendment read a second time.

Mr. Mathias, chairman of the same committee, to whom also was referred House bill No. 50, entitled
An act concerning arbitration and awards,
Reported the same back, with the following amendment:
In the enacting clause strike out the words "Kansas Territory," and insert "the Territory of Kansas."
And as amended recommend its passage.
The report was agreed to.
On motion by Mr. Wade,
The rule was suspended, and the amendment read a second time, and agreed to.

Mr. Mathias, chairman of the same committee, also, to whom was referred the House bill No. 4, entitled
An act concerning strays,
Reported the same back, and recommended its rejection;
And also reported the substitute referred to the said committee, and recommended its passage.
The report was agreed to.
The substitute was read a third time.
Mr. Waterson offered the following amendment by way of rider:
Amend by striking out the words "take it," and insert the word "go."
On motion,
The rule was suspended, and the amendment read a second time, and,
On motion by Mr. Anderson,
The rule was again suspended, and the amendment was read a third time, and the bill as amended ordered to be engrossed.

Mr. Kirk, from the committee on roads and highways, to whom was referred House bill No. 48, entitled
An act to establish a ferry at Delaware, in Kansas Territory,
Reported the same back without amendment, and recommended its passage.
The report was adopted.
The bill was read a third time, and,
On motion by Mr. McGee,
The bill was recommitted, and referred to the committee on judiciary and criminal jurisprudence.
Mr. Anderson offered the following resolution:

Resolved, By the House of Representatives of the Territory of Kansas, that the doorkeeper is hereby authorized and instructed to take charge of all printed bills and other matter ordered by this House, and it shall be his duty to receive the same from the Public Printer, and distribute them equally between the members.

Mr. Marshall offered the following substitute,
Which was adopted:

Be it resolved, That the committee on printing are hereby instructed to report to this House on to-morrow morning, the account of the public printing to date, fully itemized; and that the same shall be kept on file in this House, and that the said committee be required to report all subsequent accounts of the Public Printer at least once a week, during the present session of this Legislature.

And be it further resolved, That said committee shall instruct the Public Printer that he shall deliver to the doorkeeper, while the House is in session, all the printed matters properly belonging to this House, from day to day.

And be it further resolved, That the doorkeeper be and he is hereby instructed to place upon the several desks of the members their proper proportion of all printed documents.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the Council has passed the concurrent resolution requesting the opinion of A. J. Isacks, United States District Attorney, and of the Supreme Court, in relation to the legality of the removal of the Legislature to its present place of session, and in regard to the powers necessary to be conferred upon the probate courts.

Mr. Browne offered the following resolution,
Which was adopted:

Resolved, That the Postmaster at Westport be hereby requested to send all mail matter addressed to members and officers of this House to the special care of the Sergeant-at-Arms of this House; and that the Sergeant-at-Arms be hereby authorized and required to take charge of the same, and deliver it to the individual members to whom it may belong, or their order, and no other.

Mr. Mathias introduced a bill entitled
An act to provide for the locations of Territorial roads in the Territory of Kansas,
Was read a first time and
On motion by Mr, Kirk,
The rule was suspended, the bill was read a second time.

Mr. Wilkinson moved that the bill be laid on the table.
Which was lost by the following vote.
The ayes and noes having been demanded:

AYES.—Messrs. Wilkinson and Younger—2.
NOES.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Wade, Ward, Waterson, Weddle Williams and Mr. Speaker—18.
ABSENT—Messrs. Houston and Tebbs.
ABSENT ON LEAVE—Messrs. Harris, Payne, Hieskell, and Whitlock—4.

On motion by Mr. Mathias,
Referred to the committee on roads and highways.

Mr. McGee introduced a bill entitled
An act to exempt slaves from sale under execution,
Which was read a first time, and ordered to a second reading.

On motion by Mr. Anderson,
Mr. Wilkinson was added to the committee on roads and highways.

On motion by Mr. Anderson,
The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

Mr. Wilkinson introduced a bill entitled
An act declaring certain property exempt from execution,
Which was read a first time, and ordered to a second reading.

Mr. Weddle from the committee on militia, to whom was referred
House bill No. 70, entitled
An act to prevent stallions in certain cases from running at large,
Reported a substitute to said bill, and recommended its passage.

The report was agreed to, and
The substitute was read a first time, and ordered to a second reading.

Mr. Marshall introduced a bill entitled
An act to incorporate the Atchison town company,
Which was read a first time, and ordered to a second reading.

Mr. Mathias introduced a bill entitled
An act to incorporate the Fort Scott town company,
Which was read a first time, and ordered to a second reading.

The second reading of bills being in order
The following House bills were taken up, and severally disposed, of as follows:

An act to view and mark out a road from Black Jack Point on the Santa Fe road, thence by the way of Joab M. Bernard's store to a point on the Santa Fe road, at or near McGee's, on One Hundred and Ten creek,
Was read a second time, and
Referred to the committee on roads and highways.
An act to view and mark out a territorial road from Doniphan city to Kelley's ferry on the Missouri river,
Which was read a second time, and
On motion by Mr. Johnson,
Referred to the committee on roads and highways.

An act authorising James Findley to establish a bridge across the Wakarusa river,
Was read a second time, and,
On motion by Mr. Mathias,
Referred to the committee on roads and highways.

An act to authorize John B. Chapman and others to construct a railroad from Wyandott city in Kansas Territory, to the town of Saline,
Was read a second time, and
On motion by Mr. Johnson,
Referred to the committee on corporations.

An act granting to Louis Trombly exclusive right to a bridge across the Vermillion branch of Big Blue river, at the crossing of the Independence and California road,
Was read a second time, and
On motion by Mr. Kirk,
Ordered to be engrossed.

The reading of engrossed bills being in order,
The following bills were taken up and severally disposed of, as follows:

An act to prevent trespass on the possessions of settlers on the public lands,
Was read a third time.

Mr. Anderson offered the following amendment:

In the third clause of the preamble, strike out the words "treason to our constituents—treason to our hearts—and treason to the South"—and insert the word "unjust,"
Which amendment was agreed to.

Mr. Browne offered the following amendment:

Sec. 3. All persons holding claims without definite boundaries may mark out the same at any time within three months from the passage of this act, but no person shall, in any case, interfere with pre-existing rights.
This act to take effect from and after its passage,
Which was agreed to, and
The bill passed as amended.

On motion by Mr. Anderson,
The House bills returned by the Council with amendments, were taken up and severally disposed of as follows:

An act to establish a Ferry at the town of Douglas, in the Territory of Kansas,
Was taken up, and the amendment read a first time,
The rule was suspended, and the amendment read a second time, the rule suspended, and the amendment read a third time, and,
On motion by Mr. Mathias,
Was laid over for the present.

On motion by Mr. Anderson,

The committee on enrolled bills was ordered to wait upon the Council and inquire what amendments, if any, they wish made to the last bill taken up,
Which was agreed to.

An act declaring Big Blue river a public highway,
Was taken up, and the amendment read a first time, and

On motion by Mr. McGee,
The rule was suspended and the amendment read a second and third time, and the bill as amended, passed.

On motion by Mr. Anderson,
The Council was requested to return to this House
Council bill entitled
A bill to incorporate the city of Leavenworth, in Kansas Territory.

House bill No. 39, entitled
An act to establish a road from the line near Westport, in Missouri, to Fort Scott, in the Territory of Kansas.
Was taken up, and the Council amendment read a first time, and
On motion by Mr. Marshall,
The rule was suspended, the amendment read a second time, and the bill ordered to lay over.

Also,
An act to establish a territorial road from a point opposite Westpoint, in Missouri, to Cofachiqui, in Kansas Territory.
Was taken up, and the amendment read a first time and the bill laid over.

Also,
An act to incorporate the Lecompton Bridge Company,
Was taken up, and the Council amendment read a first time, and

On motion by Mr. Anderson,
The rule was suspended, and the amendment read a second and third time, and the bill was,
On motion by Mr. Kirk,
Referred to the committee on judiciary and criminal jurisprudence.

Mr. Wilkinson moved that the motion be laid on the table,
Which was lost.

Mr. Anderson moved to refer the bill to the committee on roads and highways,
Which was agreed to.
On motion by Mr. Speaker Stringfellow,
Mr. Anderssn in the Chair,
Council bill entitled
An act to organize the county of Arapahoe, and to define the boundaries thereof,
Was taken up, the rule suspended, and the bill read a second time, and referred to a special committee of Messrs. Marshall, Williams and Mathias.

Council bill entitled
An act to incorporate the Leavenworth, Pawnee and Western Railroad Company,
Was taken up and read a third time, and
On motion by Mr. Anderson,
Referred to the Leavenworth, Pawnee and Osawkee delegations.

Mr. Wilkinson moved
That the House adjourn,

Which was carried by the following vote.
Mr. Johnson called for the ayes and noes.
Which resulted as follows:

AYES.—Messrs. Anderson, Browne, Croysdale, Marshall, Mathias, McMeekin, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Williams, Wilkinson, Younger and Mr. Speaker—16.
NOES.—Messrs. Blair, Johnson, Kirk and McGee—4.
ABSENT.—Messrs. Banks and Houston—2.
ABSENT ON LEAVE.—Messrs. Harris, Hieskell, Payne and Whitlock—4.

So the House adjourned.

TUESDAY MORNING, JULY 31, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read, corrected, and approved.

Mr. Anderson, Chairman of the Committee on enrolled bills, reported as truly enrolled
House bill No. 21, entitled
An act declaring Big Blue river a public highway.

Mr. Mathias presented the petition of Wm. H. Spratt, William D. Bennel, and others, asking for a charter to keep a ferry across the Missouri river, at the town of Delaware, in Kansas Territory.
On motion by Mr. Speaker Stringfellow, (Mr. Waterson in the Chair,)
The petition was referred to a special committee, consisting of Messrs. Mathias, Marshall, and Younger, with instructions to report a bill.

The committee on judiciary and criminal jurisprudence made the following report:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled "An act regulating marriages," and the amendment thereto, have had the same under consideration, and beg leave to report the same back to the House, and recommend its rejection.

MATHIAS, *Chairman.*
ANDERSON.
MARSHALL.
BROWNE.
WILLIAMS.

The report was agreed to.

The same committee also made the following report:

Mr. Speaker:

The committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 27, entitled "An act concerning marriage contracts," have had the same under consideration, and beg leave to report the same with the following amendment: In section 3, after the word "State," insert "or Territory," and recommend its passage as amended.

MATHIAS, *Chairman.*
ANDERSON.
MARSHALL.
BROWNE.
WILLIAMS.

The report was agreed to.

On motion by Mr. Anderson,

The rule was suspended, and the amendment read a second time, and the bill as amended read a third time, and passed.

The committee on roads and highways made the following report:

The committee on roads and highways, to whom was referred House bills Nos. 30 and 59, beg leave to report the same back to the House, and recommend their rejection, and in lieu thereof report the following as a substitute (herewith submitted), and recommend its passage.

R. L. KIRK.
WM. G. MATHIAS,
JOS. G. ANDERSON.

The report was agreed to.

The substitute was read a first time.

Mr. Marshall offered as an amendment, that "Port William" be inserted as one point of the road.

Which was agreed to.

On motion by Mr. Kirk,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Mathias,

Was recommitted, and referred to the committee on roads and highways.

The committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 26, entitled "An act regulating marriages," beg leave to report the same, with the following amendments:

Strike out section 15, which was passed to the third reading, by way of amendment to the original bill; and with said amendment recommend its passage.

WM. G. MATHIAS, *Chairman.*
JOS. G. ANDERSON.
F. S. MARSHALL.
O. H. BROWNE.
S. A. WILLIAMS.

The report was agreed to.
On motion by Mr. Anderson,
The rule was suspended, the amendment read a second time, and the bill and amendment read a third time, and passed.

By the same committee:

Mr. Speaker:

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled "An act concerning divorce and alimony," beg leave to report the same, with the following amendments:

Strike out the enacting clause, and insert therefor: "Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas, as follows."

In section 2, strike out "the district or court having chancery jurisdiction," and insert "any courts having chancery jurisdiction and;"

And with said amendments recommend its passage.

WM. G. MATHIAS, *Chairman.*
J. C. ANDERSON.
F. J. MARSHALL.
O. H. BROWNE.
S. A. WILLIAMS.

The report was adopted, and,
On motion by Mr. Anderson,
The rule was suspended, and the amendment read a second time, and the bill and amendment read a third time, and passed.

By the committee on roads and highways:

Mr. Speaker:

The committee on roads and highways, to whom was referred House bill No. 62, entitled "An act to establish a road from Osawkee to Grasshopper Falls, have had the same under consideration, and report it back to the House, and recommend its rejection, and in lieu thereof report the following as a substitute (herewith submitted).

R. L. KIRK.
WM. G. MATHIAS.

The report was agreed to.
On motion by Mr. Mathias,
The rule was suspended, the amendment read a second time, and,
On motion by Mr. Tebbs,
The rule was again suspended, and the bill and amendment read a third time and passed.

Message from the Council, by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the Council has passed House bills of the following titles:

An act to establish a territorial road from Leavenworth to Osawkee, *via* Alexandria and Ogdensburgh.

An act establishing certain roads in the Territory of Kansas.

An act to establish a territorial road from opposite Boston, in Missouri, to a point on the California road, at or near the Half-way Grove, in the Territory of Kansas.

An act to declare a certain road from the Shawnee Methodist Church South to the town of Tecumseh, a territorial road.

An act to establish a territorial road from a point opposite St. Joseph in Missouri, to the Great Nemaha river.

An act to incorporate Leavenworth Lodge, No. 150, Ancient Free and Accepted Masons.

The committee on judiciary and criminal jurisprudence reported as follows:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence to whom was referred Council bill entitled

An act regulating oaths and prescribing the forms of oaths of office,

Have had the same under consideration, and beg leave to report the same with the following amendments:

Strike out the enacting clause, and insert enacting clause in this form:

"Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas, as follows:

In section first, after the word "Kansas," and before the word "and," insert "and the provisions of the laws of the United States, commonly known as the Fugitive Slave Law,"

And with said amendments recommend its passage.

WM. G. MATHIAS, *Chairman.*
JOS. C. ANDERSON,
F. J. MARSHALL,
O. H. BROWNE,
S. A. WILLIAMS.

The report was received.

On motion by Mr. Anderson,

The rule was suspended and the amendment read a second time, and

On motion by Mr. McMeekin,

The bill as amended was considered engrossed and read a third time and passed.

Message from the Council, by Mr. Halderman, Chief Clerk.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been introduced into the Council:

An act to authorise Box B. Booth to keep a ferry.

An act to organize the county of Sullivan, in the Territory of Kansas, and to define the boundaries thereof.

An act concerning wills and devises.

An act concerning fraudulent conveyances.

An act to establish a territorial road from the town of Kickapoo, in the Territory of Kansas to intersect the military road leading from Fort Leavenworth to Fort Riley.

The committee on judiciary and criminal jurisprudence, reported as follows:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred the concurrent resolution in regard to the enacting clause to be adopted by this Legislative Assembly, have had the same under consideration, and recommend its rejection, but report as a substitute the following resolution:

Resolved, By the House of Representatives, the Council concurring therein, that the enacting clause of all laws passed by the Legislative Assembly of Kansas shall be: "Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas, as follows."

And recommend its passage.

WM. G. MATHIAS, *Chairman.*
J. C. ANDERSON.
F. J. MARSHALL.
S. A. WILLIAMS.

The report was agreed to.
On motion by Mr. Anderson,
The rule was suspended, and the resolution read a second and third time, and passed.

The committee on roads and highways made the following report:

MR. SPEAKER:

The committee on roads and highways, to whom was referred House bill No. 78, entitled "An act to provide for the location of territorial roads in the Territory of Kansas," have had the same under consideration, and beg leave to report the same with the following amendments:

In section 6, after the word "feet," add, "unless otherwise provided in the act establishing such roads:" and add

SEC. 10. If any person obstructs any territorial road, by fencing in or across such road, or by any other means whatsoever, such persons so offending shall be fined for every such obstruction in the sum of one hundred dollars, to be recovered by any person suing for the same, before any court having cognizance thereof, to the use of such person, and the sheriff of the county in which such obstructions may occur shall cause the same to be removed at the cost of the person so offending.

SEC. 11. This act shall not apply to roads beginning, running through, and terminating in the same county.

And with said amendments, the committee recommend its passage.

JOSEPH C. ANDERSON, }
R. L. KIRK, } Committee.
WM. G. MATHIAS, }

The report was agreed to.
On motion by Mr. Wade,
The rule was suspended, and the amendments read a second time, and,
On motion by Mr. Anderson,
The bill was ordered to be engrossed.

The select committee, consisting of Messrs. Anderson, Marshall, and Williams, to whom was referred Council bill entitled

An act to regulate the interest on money,

Reported the same back, with the following amendments:

Strike out in section 2, after the word "interest," the words "not exceeding ten per cent. per annum," and insert the words "any rate" between the words "of" and "interest."

And strike out sections 4 and 5 in the bill.

And as amended recommended its passage.

The report was agreed to.

On motion,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Weddle,

One hundred copies of the bill and amendment were ordered to be printed, and also the report of the committee.

The following bills were introduced, and severally disposed of as follows:

By Mr. Kirk,

An act entitled an act to establish a territorial road from Atchison, *via* Mt. Pleasant, to Hickory Point, on the military road from Fort Leavenworth to Fort Riley.

Which was read a first time, and ordered to a second reading.

By Mr. Wade,

An act authorizing officers to call to their assistance the power of the county.

Which was read a first time, and ordered to a second reading.

By Mr. McMeekin,

An act to incorporate the Wyandot Lyceum.

Which was read a first time, and ordered to a second reading.

By Mr. McMeekin,

An act to exempt certain property from execution.

Which was read a first time, and ordered to a second reading.

The second reading of bills being in order,

The following bills were taken up, read a second time, and severally disposed of, as follows:

An act to incorporate the Atchison Town Company was,

On motion by Mr. Mathias,

Referred to the committee on corporations,

An act to incorporate the Fort Scott Town Company, was,

On motion by Mr. Kirk,

Referred to the committee on corporations.

An act to prevent stallions from running at large in certain cases.

On motion by Mr. Waterson,

The rules were suspended, and the bill read a third time, and passed.
On motion by Mr. Anderson,
The vote passing the bill was reconsidered, and,
On motion by Mr. Tebbs,
The bill was referred to a select committee, consisting of Messrs. Tebbs, Mathias, and Waterson.

An act to exempt slaves from sale under execution, was,
On motion by Mr. McGee,
Referred to a select committee, consisting of Messrs. McGee, Browne, and Anderson.

An act declaring certain property exempt from execution, was,
On motion by Mr. Wilkinson,
Referred to a select committee, consisting of Messrs. Wilkinson, Hieskell. and Williams.

The reading of engrossed bills being in order,
The following bills were taken up, read a third time, and severally disposed of, as follows:

An act regulating enclosures.
Mr. Wilkinson moved to amend the bill by inserting, that the act shall be in force from and after the first day of January next.
Which was lost.
Mr. Tebbs moved that the bill be recommitted, and referred to a select committee of three.
Which was agreed to.
The Chair appointed Messrs. Tebbs, Waterson, and McGee as the committee.
On motion by Mr. Weddle,
The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

The reading of engrossed bills being in order,
The following bills were read a third time, and severally disposed of, as follows:

An act to establish a territorial road from St. Joseph to Marysville,
Was passed.

An act concerning arbitrations and awards,
Was passed.

An act appropriating certain funds for the support of common schools.
Mr. Anderson offered the following amendment by way of rider:

Insert the words "one half of" between the words "hereafter" and "all," in the first section of the bill.

On motion by Mr. Williams,

The rule was suspended, and the amendment read a second time, and

Mr, Croysdale moved the suspension of the rules, and that the amendment be read a third time.

Mr. Waterson called for the ayes and noes,

Which resulted as follows:

Ayes.—Messrs. Anderson, Blair Browne, Croysdale, Hieskell, Kirk, Marshall, Mathias, Scott, Tebbs, Ward, Williams, Mr. Speaker—13.

Noes.—Messrs. Banks, Johnson, McMeekin, Wade, Waterson, Weddle, Wilkinson, Younger—8.

The rule requiring a two-third vote, the motion to suspend was lost.

On motion by Mr. Anderson,

The bill was referred to a select committee, consisting of Messrs. Hieskell, Tebbs, and Blair, by the following vote,

The ayes and noes having been demanded by Mr. Mathias:

Ayes.—Messrs. Anderson, Blair, Browne, Croysdale, Hieskell, Kirk, Marshall, Mathias, Scott, Tebbs, Ward, Weddle, Williams, Mr. Speaker—14.

Noes.—Messrs. Banks, Johnson, McMeekin, Wade, Waterson, Wilkinson, Younger—7.

Absent—Messrs. Houston and McGee—2.

Absent on leave—Messrs. Harris, Payne, and Whitlock—3.

Mr. Johnson asked leave of absence for Mr. McGee until to-morrow.

Which was granted.

An act to license and tax peddlers,

Was passed.

An act respecting lost money and goods,

Was passed.

An act to incorporate the city of Kickapoo,

Was passed.

On motion by Mr. Mathias,

The Council bill entitled

A bill to incorporate the city of Leavenworth, was taken up, and,

On motion by Mr. Anderson,

The vote passing the bill was reconsidered.

On motion by Mr. Mathias,

The bill was referred to a select committee, consisting of the Leavenworth delegation.

Message from the Council, by Mr. Grover, Assistant Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that Council bills of the following titles have been passed by the Council:

An act to authorize Fox B. Booth to keep a ferry.

An act concerning fraudulent conveyances.
An act concerning set-off.
An act concerning securities.
An act concerning the action of replevin.

Also, House bills of the following titles:

An act to establish a ferry across the Big Blue river, at the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie; and also, at the crossing of the Independence and California road across the same river.

An act to declare a road now leading from the California road, near Wakefield, along the ridge between Snyder's and William Toddhunter's, a public highway.

An act to view and mark out a road from One Hundred and Ten, *via* Glendale and the town of Douglas, to intersect the military road leading from Fort Leavenworth to Fort Scott.

An act declaring certain roads public highways.

An act to declare the Santa Fe road a territorial road.

An act to locate a territorial road from Atchison, Kickapoo, and Leavenworth, by way of Osawkee and Tecumseh, to intersect the Santa Fe road at or near One Hundred and Ten.

Also, Council bills entitled:

An act to locate a territorial road from a point opposite Westpoint, in Missouri, to Marysville, in Kansas Territory.

An act for opening and keeping in repair roads and highways.

An act to establish a territorial road from the town of Kickapoo, in the Territory of Kansas, to intersect the military road leading from Fort Leavenworth to Fort Riley.

Also, that bills of the following titles have been introduced into the Council:

An act to regulate wills.
An act regulating conveyances.
An act concerning contracts and promises.
An act concerning fraudulent conveyances.
An act organizing a chain-gang.
An act respecting lost money and goods.
An act designating the pay of certain officers.
An act to incorporate the Kansas Central Railroad Company.
An act to provide for the publication and distribution of the laws and journals.

Also, the House concurrent resolutions providing against the granting of divorces by the Legislative Assembly; and also, providing for the copying and indexing of the journals and laws—have been passed by the Council.

On motion by Mr. Anderson,
The House bill No. 44, entitled
An act to establish a territorial road from Leavenworth City to Osawkee, *via* Alexandria and Ogdensburgh, was taken up, and,
On motion by Mr. Mathias,
The Council amendment was read a first time, the rule suspended, and the amendment read a second and third time, and agreed to.

The House bill No. 9, entitled
An act concerning corporations, was taken up, and
The Council amendment read a third time, and agreed to.

The House bill No. 39, entitled
An act to establish a road from the line near Westport, in Missouri, to Fort Scott, in the Territory of Kansas,
Was taken up, and the Council amendment read a first time, the rule suspended and the amendment read a second and third time, and agreed to.

The following Council bills were taken up, and read a third time, and severally disposed of as follows:

An act regulating the authentication of laws.
The House amendment was read a first time, and the rule suspended, and the amendment read a second time, and laid over.

Mr. Anderson offered the following resolution:

WHEREAS, The practice of printing bills (which is only for information) with wide spaces between the lines, is productive of three-fold more expense than if printed solid; AND WHEREAS, the appropriation made to defray contingent expenses is limited, therefore,
Be it resolved, By the House of Representatives of the Territory of Kansas, the Council concurring, that hereafter all bills, or other matter ordered to be printed, shall be printed solid.

Which was read a first time, the rule suspended, and the resolution read a second and third time, and passed.
On motion by Mr. Mathias,
The vote was reconsidered.
The bill was then passed by the House by the following vote, the ayes and noes having been demanded:

AYES—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Hieskell, Johnson, Kirk, Mathias, McMeekin, Scott, Wade, Ward, Waterson, Weddle, Williams, Wilkinson, Younger, Mr. Speaker—19.
Absent—Messrs. Houston and Marshall—2.
Absent on leave—Messrs. Harris, McGee, Payne, and Whitlock—4.
Excused from voting—Mr. Tebbs.

Message from the Council, by Mr. Halderman, Chief Clerk.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council requests the return of the Council bill entitled
An act to organize the county of Arapahoe, and to define the boundaries thereof.

Council bills read a third time:

An act adopting the common law as the rule of action in this Territory,
Was passed.

An act for the organization of townships,
Was passed.

An act concerning coroners.
The House amendment was read a third time, and,
On motion by Mr. Mathias,
The bill was recommitted, and referred to the committee on judiciary and criminal jurisprudence.

An act to incorporate the Wathena plank and macadamized road company,
Was passed, by the following vote, the ayes and noes having been demanded by Mr. Wilkinson:

AYES—Messrs. Anderson, Blair, Browne, Croysdale, Johnson, Kirk, Marshall, Mathias, McMeekin, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Williams, Mr. Speaker—17.
NOES—Mr. Wilkinson.
Absent—Messrs. Banks, Hieskell, Houston, and Younger—4.
Absent on leave—Messrs. Harris, McGee, and Payne—3.
Excused from voting—Mr. Whitlock.

An act licensing and controlling auctioneers,
Was passed.

The following Council bills were read a second time, and severally disposed of, as follows:

An act to establish the office of county recorder, was,
On motion by Mr. Mathias,
Referred to the committee on judiciary and criminal jurisprudence.

An act concerning inquests, was,
On motion by Mr. Johnson,
Referred to the committee on judiciary and criminal jurisprudence.

An act to declare certain roads public highways, was,
On motion by Mr. Johnson,
Referred to the committee on roads and highways.

An act incorporating the city of Leavenworth, Kansas Territory, was,
On motion by Mr. Weddle,
Referred to the committee on corporations.

An act to declare a certain road a territorial road, was,
On motion by Mr. Wade,
Referred to the committee on roads and highways.

An act concerning boatmen, was,
On motion by Mr. Mathias,
Referred to the committee on roads and highways.
On motion by Mr. Mathias,
The vote referring the bill was reconsidered, and the bill referred to the committee on judiciary and criminal jurisprudence.

An act concerning costs, was,
On motion by Mr. Waterson,
Referred to the committee on judiciary and criminal jurisprudence.

The following Council bills were read a first time, and severally disposed of, as follows:

An act concerning the office of county surveyor.
On motion by Mr. Anderson,
The rule was suspended, the bill read a second time, and referred to the committee on judiciary and criminal jurisprudence.

An act concerning bonds and notes.
On motion by Mr. Marshall,
The rule was suspended, and the bill read a second time, and referred to the committee on judiciary and criminal jurisprudence.

Mr. McMeekin moved that the House adjourn.
Which was lost.

An act concerning contracts and promissory notes,
Was ordered to a second reading.

An act concerning the action of detinue,
Was ordered to a second reading.

On motion by Mr. Tebbs,
The roll of the House was called.

Absent—Messrs. Banks, Croysdale, Hieskell, Houston, Marshall, Williams, and Younger—7.
Absent on leave—Messrs. Harris, McGee, Payne, and Whitlock—4.

On motion by Mr. Mathias,
The House adjourned.

WEDNESDAY MORNING, AUGUST 1, 1855.

House met pursuant to adjournment.

Prayer by Rev. Mr. Peery.

The journal of yesterday was read and approved.

On motion by Mr. Mathias,
Leave of absence was granted to Mr. Marshall for to-day.

The committee on corporations made the following report:

MR. SPEAKER:

The committee to whom was referred Council bill entitled
An act to incorporate the Kansas Valley Railroad,
Beg leave to report the same back and recommend its passage with amendment.

HIESKELL,
WATERSON, } Committee.
MARSHALL.

The report was agreed to.

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act concerning inquests,
Have had the same under consideration and beg leave to report the same with the following amendments:
Strike out the enacting clause, and insert the enacting clause following, to wit:
Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas,.
And recommnnd its passage as amended.

WM. G. MATHIAS, *Chairman.*
S. A. WILLIAMS,
O. H. BROWNE,
JOS. C. ANDERSON.

The report was agreed to.

On motion by Mr. Mathias,
The rule was suspended, and the amendment read a second time and agreed to, and the bill was ordered to be engrossed.

The committee on corporations reported as follows:

MR. SPEAKER;

The committee on corporations to whom was referred Council bill entitled
An act to incorporate a railroad from the Missouri State line to the western Kansas line,
Report the same back with the following amendments and recommend its passage as amended.

In the enacting clause, strike out "General," and insert "Legislative."

Amend section first, by inserting after the word "estate," in the 14th line, the following: "necessary for the purpose of constructing and keeping in repair said road,

Amend section second, by erasing the name of Thomas B. Arnett, and insert the name of Joseph C. Anderson.

THOS. W. WATERSON,
WM. A. HEISKELL,
F. J. MARSHALL. } Committee.

The report was agreed to.

On motion by Mr. Mathias,

The rule was suspended and the amendment was read a second time and agreed to.

The committee on roads and highways to whom was referred House bill No. 16,

Beg leave to report the same back with the following amendments:

Strike out in the 15th section, 6th line, the words "such bridge shall be," and insert "the town of Lecompton is or may be situated," and recommend its passage as amended.

R. L. KIRK,
JOS. C. ANDERSON,
WM. G. MATHIAS.

The report was agreed to.

On motion by Mr. Williams,

The rule was suspended and the amendment read a second and third time, and agreed to,

And the bill as amended, passed by the following vote:

Ayes.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Hieskell, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock and Younger—20.

Noes—Mr. Wilkinson—1.

Absent—Messrs. Houston, Williams and Mr. Speaker—3.

Absent on Leave—Messrs. Harris and Marshall—2.

The committee on public printing, made the following report:

Mr. Speaker:

The committee on public printing to whom was referred the subject of the expenditure of this House in public printing have called on the public printer, and beg leave to report a statement made by the Public Printer himself, having omitted the prices, as he does not feel authorized to fix them:

To the Honorable Chairman of the committee on public printing for the House of Representatives of the Territory of Kansas:

According to request, I beg leave respectfully to submit to your Honor, the following as a list of the amount of printing done for said House, up to the 30th instant—also copies of the same.

July 23,	To 100 copies of rules of the House.
	Special Notice.
July 23,	To 100 blank ballots.
July 24,	To 50 copies of an act to prevent trespass.
	To 50 bill heads for House.
	To 300 copies Kansas bill.
	To 50 labels.
	To 50 copies an act to regulate marriages.
	To 50 copies of an act concerning marriage contracts.
	To 50 copies minority report of committee on judiciary.
	To 100 blank ballots.
July 27,	To 2000 copies message and memorial.
	To 50 copies of an act concerning surveyors, &c.
	To 50 copies of an act incorporating the Leavenworth, Pawnee and Western Railroad Company.
July 30,	To 250 copies of an act to incorporate the Kansas Valley Railroad Company.

All of which is most respectfully submitted.

JOHN T. BRADY,
Public Printer.

H D. McMEEKIN, *Chairman.*
ALLEN WILKINSON.

The report was adopted.

The committee on judiciary and criminal jurisprudence made the following report.

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence to whom was recommitted Council bill entitled

An act concerning coroners,

Have had the same under consideration, and beg leave to report the same with the following amendment:

In section eight, after the word "Coroner," add the following words, "the county commissioners or the tribunal transacting county business for the county wherein such vacancy shall occur, shall fill such vacancy by appointment,"

And recommend its passage as amended.

WM. G. MATHIAS, *Chairman.*
JOS. C. ANDERSON,
S. A, WILLIAMS.

The report was agreed to.

On motion by Mr. Mathias,

The rule was suspended and the amendment read a second and third time and the bill passed as amended.

The committee on roads and highways, made the following report:

MR. SPEAKER:

The committee on roads and highways to whom was referred House bill No. 64, entitled

An act to establish a territorial road from Atchison to Pawnee, by the way of Grasshopper Falls, in the Territory of Kansas,

Beg leave to report the same without amendment and recommend its passage.

R. L. KIRK,
O. H. BROWNE.

The report was agreed to, and

The bill read a third time and passed.

The committee on agriculture made the following report:

MR. SPEAKER:

The committee on agriculture to whom was referred Council bill entitled

An act to prevent the firing of woods, marshes and prairies,

Beg leave to report the same with the following amendments:

In section first, after the words "fifty dollars," strike out the words "one half thereof," and insert "which said fine shall be."

At the end of section second, add "for the use of the county in which said offence is committed."

At the end of section fifth, add "any fines or penalties imposed by this act may be recovered before any court or other tribunal having jurisdiction of such cases,"

And as amended, your committee recommend its passage.

JOHN M. BANKS, *Chairman.*
WM. A. HIESKELL,
GEO. W. WARD,
A. PAYNE.

The report was agreed to, and

On motion by Mr. Waterson,

The rule was suspended and the amendment read a second time, and agreed to,

And the bill as amended read a third time and passed.

The committee on roads and highways made the following report:

MR. SPEAKER:

The committee on roads and highways, to whom was referred House bill No. 63, entitled

An act to establish a territorial road from Kickapoo to Money Creek, in the Territory of Kansas,

Beg leave to report the same and recommend its passage.

R. L. KIRK,
O. H. BROWNE.

Th report was agreed to, and

The bill read a third time and passed.

By the same committee.

MR. SPEAKER:

The committee on roads and highways to whom was referred House bill No. 63, entitled

An act to establish a territorial road from Leavenworth to Indianola, by the way of Money Creek and Grasshopper Falls, in the Territory of Kansas, Beg leave to report the same without amendment, and recommend its passage.

R. L. KIRK,
O. H. BROWNE.

The report was agreed to, and
The bill read a third time and passed.

By the same committee:

MR. SPEAKER:

The committee on roads and highways to whom was referred House bill No. 38, entitled
An act to authorize Thos. N. Stinson to establish a ferry across the Kansas river,
Report the same back to the House with the following amendment:
In section third, second line, between the words "business," and "shall," insert the words "in the county in which the town of Tecumseh is situated,"
And recommend its passage.

R. L. KIRK,
O. H. BROWNE,

The report was agreed to, and
On motion by Mr. Waterson,
The rule was suspended and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

By the same committee:

MR. SPEAKER:

The committee on roads and highways to whom was referred Council bill entitled
An act to declare a certain road a territorial road,
Beg leave to report the same with the following amendments:
Strike out the word "General," from the enacting clause, and insert the word "Legislative."
In section second, between the words "for," and "roads," in second line, insert the words "by the laws regulating,"
And with said amendments recommend its passage.

R. L. KIRK.
JOS. C. ANDERSON.

The report was adopted, and,

On motion by Mr. Waterson,
The rule was suspended, and the amendment read a second time, and the bill and amendment read a third time, and passed.

By the same committee.

MR. SPEAKER:

The committee on roads and highways, to whom was referred House bill

No. 66, beg leave to report the following as a substitute, and recommend its passage.

R. L. KIRK.
WM. G. MATHIAS,

The report was agreed to,

And the substitute of the following title:

An act to establish a territorial road from a point opposite St. Joseph in Missouri, to Indianola, in the Territory of Kansas.

On motion by Mr. Waterson;

The rule was suspended, the amendment read a second time, and the bill and amendment read a third time, and passed.

The select committee to whom was referred Council bill entitled

A bill to incorporate the city of Leavenworth,

Made the following report:

Mr. Speaker:

The select committee consisting of the Leavenworth Delegation, to whom was referred Council bill entitled

A bill to incorporate the city of Leavenworth,

Have had the same under consideration, and beg leave to report the same with the following amendments:

Amend the title, by striking out the words "a bill," and insert the words "an act."

And in the enacting clause, strike out the words "of Kansas Territory," and insert "the Territory of Kansas."

And in section 11, amend by striking out where they occur in the following connection, the words "dealers in drugs, lumber, iron stoves, tin ware, hardware, boots, shoes, hats, caps, jewelry and watches, clothing, saddlery, harness, leather, tobacco, cigars or any other article of trade or merchandize, other than the growth, produce, or manufacture of Kansas Territory."

Amend section 18, by striking out where they occur in the following connection, the words, "throughout the municipal township in which the city of Leavenworth is situated."

Amend section 23, by striking out where they occur in the following connection the words, "throughout the municipal township in which the city of Leavenworth is situated," and insert in lieu thereof, the words "within the corporate limits of the city of Leavenworth,"

And as amended recommend its passage.

WM. G. MATHIAS, *Chairman.*
H. D. McMEEKIN,
A. PAYNE.

The report was agreed to.

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time, and third time and agreed to, and the bill as amended, passed by the following vote:

Ayes.—Messrs. Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson Younger and Mr. Speaker—22.

Absent—Messrs. Croysdale and Houston.

Absent on Leave—Messrs. Harris and Marshall—2.

The select committee to whom was referred House bill entitled
An act to exempt certain property from execution,
Made the following report:

MR. SPEAKER:

The committee to whom was referred the bill entitled
An act to exempt certain property from execution,
Would beg leave to report that they have examined said bill and would recommend its passage.

A. WILKINSON,
WM. A. HIESKELL.
S. A. WILLIAMS.

The report was agreed to, and
The bill was read a third time, and
On motion by Mr. Waterson,
Was ordered to lie over.

The select committee to whom was referred the House bill
Regulating enclosures,
Made the following report.

MR. SPEAKER:

The select committee to whom was referred the bill
Regulating enclosures,
Beg leave to report back the bill with the following amendment, and recommend its passage:

Amend by striking out all in 4th section, after the word "sustain," in the seventh line, and insert the words following: "and for the second offence the party so trespassed upon shall be entitled to recover double damages, and for the third or any subsequent trespass, the party so injured shall be allowed treble damages for all losses sustained by such trespass, and be allowed to take into possion the animals so trespassing, and be entitled to keep the same until damages with treble charges for keeping and feeding the same are paid, to be recovered by action of debt before a justice of the peace.

WM. H. TEBBS, *Chairman.*
THOS. W. WATERSON,
M. W. McGEE.

The report was agreed to, and
On motion by Mr. Weddle,

The rule was suspended, and the amendment read a second and third time and agreed to.

Mr. Wilkinson offered the following amendment by way of rider:

That the last section be amended by making the act take effect the first day of January, 1856.
Was read a first time, and,
Rejected by the following vote
The ayes and noes having been demanded by Mr. Wilkinson:

Ayes.—Messrs. Anderson, Banks, Blair, Croysdale, Hieskell, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Younger and Mr. Speaker—18.

Noes.—Messrs. Kirk, Williams and Wilkinson—3.

Absent.—Messrs. Browne, Houston and Johnson—3.

Absent on Leave.—Messrs. Harris and Marshall—2.

The bill was then read a third time as amended and passed.

The select committee to whom was referred House bill entitled

An act to prevent stallions in certain cases from running at large,
Made the following report :

Mr. Speaker:

The select committee to whom was referred
The bill respecting seed horses,
Beg to make the following report, that the bill referred to them be rejected, and the enclosed be substituted and passed.

WM. H, TEBBS, *Chairman.*
W. G. MATHIAS,
T. W. WATERSON.

The report was agreed to.
The substitute of the same title was read a first time, and
On motion by Mr, Wade,

The rule was suspended, and the bill read a second and third time and passed.

The select committee to whom was referred House bill No. 68, entitled
An act appropriating certain funds for the support of common scdools,
Beg leave to report the same with the following amendment:

In section 1, first line, between the words "hereafter," and "all," insert the words "the one half of."

The committee believe that the passage of the original bill would be a heavy tax on the counties of the Territory, as they must be at the expense of prosecuting for, and collecting the fines in the bill mentioned, an expense the counties are unable to bear at this time. They therefore recommend the passage of the bill as amended.

WM. A. HIESKELL,
WM. H. TEBBS,
JOEL P. BLAIR.

The report was agreed to, and

On motion by Mr. Anderson,
The rule was suspended, and the amendment read a second and third time, and passed by the following vote,
The ayes and noes being demanded by Mr. Anderson :

AYES.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Hieskell, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams and Mr. Speaker—21.
NOES—Messrs. Wilkinson, Houston and Younger—3.
ABSENT ON LEAVE—Messrs. Harris and Marshall—2.

On motion by Mr. Anderson,
The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

The Speaker *pro. tem.* in the chair.

On motion by Mr. Anderson,

The roll of the House was called.

ABSENT—Messrs. Houston, McMeekin, Payne, Tebbs, Whilock, Younger, Banks and Mr. Speaker—8.

ABSENT ON LEAVE—Messrs. Harris and Marshall—2.

A quorum present.

On motion by Mr. Mathias,
Leave of absence was granted to Mr. Speaker Stringfellow, for this evening.

On motion by Mr. Weddle,
Leave of absence was granted to Mr. Younger, for this evening.

Mr. Scott presented the petition of B. A. James, praying for the prohibition of the sale of liquors among the Indians.

On motion by Mr. Scott,
The petition was referred to the select committee to whom a bill of the same import was referred, of which Mr. Marshall is chairman.

The following bills were introduced, read a first time, and severally disposed of, as follows:
By Mr. Waterson,
An act to establish a ferry across the Missouri river.

On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and
Referred to the committee on roads and highways.

By Mr. Browne,
H. J.—10.

An act to establish a territorial road from Atchison, *via* Mount Pleasant and Hickory Point, to a point on the Kansas river opposite the town of Lecompton, Kansas Territory,
Was ordered to a second reading.

By Mr. Croysdale,
An act concerning free colored people.
Was ordered to a second reading.

By Mr. Kirk,
An act to locate and establish a territorial road from the town of Atchison to the town of Osawkee.
Was ordered to a second reading.

By Mr. Ward,
An act to establish a territosial road from a point above Franklin, on the California road, *via* the Lake and Kansas river, then to the town of Lecompton, in Kansas Territory.
Was ordered to a second reading.

By Mr. Wade.
An act to establish a territorial road in the Territory of Kansas.
Was ordered to a second reading.

By Mr. Weddle,
An act for the entire prohibition of lotteries.
Was ordered to a second reading.

On motion by Mr. Browne,
House bill No. 25, entitled
An act to establish a ferry at the town of Douglas, on Kansas river,
Was taken up, and
On his motion, referred to a select committee, consisting of Messrs. Browne, McMeekin and McGee.

Mr. Browne offered the following resolution,
Which was adopted:

Resolved, That the Enrolling Clerk of this House be directed to enroll House bills Nos. 34 and 51, without reference to erasures and interlineations, not authorized by either House or Council.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been introduced into the Council:

An act concerning slaves.
An act to incorporate the city of Leavenworth.
An act to incorporate a ferry at Whitehead, in Kansas Territory.
An act concerning witnesses.

An act to incorporate a ferry in the Territory of Kansas, opposite the town of Iatan, Missouri.
An act concerning evidence.

Also, the following bills have passed:

An act regulating the granting of injunctions.
An act to establish and regulate Justices' Courts.
An act providing for the appointment of Constables, and to prescribe their duties.
An act designating the pay of certain officers.
An act to regulate the limitations of actions.

Also, the Council has passed House bill entitled
An act for securing liens to mechanics and others.

The second reading of bills being in order, the following bills were read a second time and severally disposed of as follows:

An act to establish a territorial road from Atchison, *via* Mount Pleasant, to Hickory Point, on the military road from Fort Leavenworth to Fort Riley,
Was referred to the committee on roads and highways.

An act to incorporate the Wyandott Lyceum, was,
On motion by Mr. Weddle,
Referred to the committee on corporations.

An act authorizing officers to call to their assistance the power of the county, was
On motion by Mr. Hieskell,
Referred to the committee on judiciary and criminal jurisprudence.

An act to exempt certain property from execution, was,
On motion by Mr. Blair,
Referred to a select committee of three, consisting of Messrs. Waterson, Williams and Payne.

Mr. Wilkinson moved that House bill No. 80, entitled
An act declaring certain property exempt from execution,
Be taken up, and referred to a select committee,
Which was agreed to.
The chair appointed Messrs. Waterson, Williams and Payne, as said committee.

On leave, the committee on judiciary and criminal jurisprudence, made the following report:

MR. SPEAKER:

The committee on judiciary and criminal juriprudence, to whom was referred the House bill No. 49, entitled

An act to establish a ferry at Delaware, in Kansas Territory, Have had the same under consideration, and beg leave to report the same back to the House and recommend its rejection.

WM. G. MATHIAS, *Chairman*.
J. C. ANDERSON.
O. H. BROWNE.
S. A. WILLIAMS.

The report was agreed to.

The third reading of bills being in order, the following bills were read a third time and severally disposed of as follows:

An act granting to Lewis Trombly exclusive right to a bridge across the Vermillion branch of Big Blue river at the crossing of the Independence and California road,
Was passed.
An act concerning commissioners, surveyors and chain carriers of roads and highways, was
On motion by Mr. Weddle,
Laid on the table.
An act concerning strays,
Was passed.
An act to establish a territorial road from a point opposite Westpoint in Missouri, to Cofachiqui, in Kansas Territory,
Was taken up, and the Council amendment read a first time.
The rule was suspended, and the bill read a second and third time, and agreed to.
The reading of Council bills being in order,
The following bills were read a third time and severally disposed of as follows:

An act to incorporate a railroad from the Missouri State line, to the western Kansas line,
Was pyssed,
Tbe ayes and noes having been dispensed with.

An act to incorporate the Kansas Valley railroad company,
Was passed, by the following vote:

AYES.—Messrs. Anderson, Banks, Blair, Hieskell, Mathias, McGee, McMeekin, Payne, Scott, Wade, Ward, Waterson, Weddle, Whitlock and Williams—15.
NOES—Messrs. Kirk and Wilkinson—2.
ABSENT—Messrs. Browne, Croysdale, Houston, Johnson and Tebbs—5.
ABSENT ON LEAVE—Messrs. Harris, Marshall, Younger and Mr. Speaker—4.

An act regulating the authentication of statutes, and the taking effect of laws,
Was passed.

The following Council bills were taken up, and read a second time, and severally disposed of, as follows:

An act concerning the action of detinue, was,

On motion by Mr. Hieskell,
Referred to the committee on judiciary and criminal jurisprudence.

An act concerning forcible entries and detainers, was,
On motion by Mr. Kirk,
Referred to the committee on judiciary and criminal jurisprudence.

Message from the Council, by Mr. Grover, Assistant Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been passed by the Council :

An act concerning the plats of towns and villages.
An act for the punishment of certain crimes and offences, and for the protection of slave property.
An act to incorporate a ferry at Whitehead, in Knnsas Territory.
An act to incorporate a Ferry in the Territory of Kansas, opposite the town of Iatan.
An act concerning slaves.
An act to organize the county of Leavenworth.
An act concerning witnesses.
An act concerning evidence.
An act respecting lost money and goods.
An act to establish the historical and philosophical Society of Kansas.

Also, that the Council has passed Council bills of the following titles :

An act providing for the apportionment of constables, and prescribing their duties.
An act to regulate the limitations of actions,
An act designating the pay of certain officers.
An act regulating the granting of injunctions.
An act to establish and regulate Justices' Courts.
Also,
The House resolution concerning the enacting clause.

The following Council bills were read a first time, and severally disposed of, as follows:

An act concerning forcible entries and detainer.
On motion by Mr. Waterson,
The rule was suspended, the bill read a second time, and referred to the committee on judiciary and criminal jurisprudence.

An act to restrict dramshops and taverns, and to regulate the sale of intoxicating liquors;
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and referred to a select committee consisting of Messrs. McMeekin, Hieskell and Johnson.

An act regulating weights and measures;
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and

On motion by Mr. Williams,
Referred to the committee on agriculture.

An act to establish a territorial road from Wm. King's to the Catholic Osage Mission;
On motion by Mr. Weddle,
The rule was suspended and the bill read a second time, and
Referred to the committee on roads and highways.

An act to locate a territorial road, &c.;
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and
Referred to the committee on roads and highways.

On motion by Mr. Hieskell,
Leave of absence was granted to Mr. Wilkinson, until Tuesday next.

On motion by Mr. Waterson,
The House adjourned.

THURSDAY MORNING, AUGUST 2, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read, corrected, and approved.

On leave, Mr. Speaker Stringfellow (Mr. Waterson in the Chair) offered the following resolution, which was adopted:

Resolved, That the committee on printing be instructed to ascertain the number of thousands printed by the Public Printer for this House, and the number of tokens press-work done for the same.

The committee on roads and highways made the following report:

MR. SPEAKER:

The committee on roads and highways, to whom was referred the House bill No. 84, beg leave to report the same back to the House, and recommend its rejection; also, the following es a substitute, and recommend the passage thereof.

R. L. KIRK.
JOS. C. ANDERSON.
WM. G. MATHIAS.

The report was adopted.
The substitute of the following title:
An act entitled an act to locate a territorial road,
Was read a first time, and,
On motion by Mr. McMeekin,
The rule was suspended, and the bill read a second and third time, and passed.

The committee on corporations made the following report:

Mr. Speaker:

The committee on corporations, to whom was referred House bill No. 82, entitled "An act to incorporate the Atchison Town Company," report the same back without amendment, and recommend its passage.

THOS. W. WATERSON,
W. A. HIESKELL, } Committee.

The report was agreed to, and the bill read a third time and passed.

By the same committee:

Mr. Speaker:

The committee on corporations, to whom was referred Council bill entitled "An act to incorporate the city of Lawrence," report the same back with the following amendment, and recommend its passage as amended:

Amend by adding to section 2 the following: "And such board of trustees shall have power to fill any vacancy that may occur in their board."

THOS. W. WATERSON,
W. A. HIESKELL, } Committee.

The report was agreed to, and,
On motion by Mr. Wade,
The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

The committee on judiciary and criminal jurisprudence made the following report:

Mr. Speaker:

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled "An act concerning contracts and promises," have had the same under consideration, and beg leave to report the same without amendment, and recommend its passage.

WM. G. MATHIAS, *Chairman*.
J. C. ANDERSON.
O. H. BROWNE.
S. A. WILLIAMS.
F. J. MARSHALL.

The report was agreed to, and the bill was read a third time, and passed.

By the same committee:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled "An act concerning bonds and notes," have had the same under consideration, and beg leave to report the same, with the following amendments:

At the end of the second section, after the word "section," insert the figure 3.

After the worp "assignor," in the third section, and before the word "second," insert "sec. 4."

Strike out the words "sec. 6," after the word "it," in section 4, and insert "sec. 5,"

Strike out the words "sec. 7" after the termination of "sec. 5," and insert "sec. 6."

And recommend its passage as amended.

WM. G. MATHIAS, *Chairman.*
JOS. C. ANDERSON.
O. H. BROWNE.
S. A. WIILIAMS.
F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Hieskell, from the committee on engrossed bills, reported as truly engrossed the House bill No. 78, entitled

An act for the location of territorial roads in the Territory of Kansas.

By the committee on corporations:

MR. SPEAKER:

The committee on corporations, to whom was referred House bill No. 83, entitled "An act to incorporate the Fort Scott Town Company," report the same back without amendment, and recommend its passage.

THOS. W. WATERSON, } Committee.
W. A. HIESKELL, }

The report was agreed to, and the bill read a third time, and passed.

By the same committee:

MR. SPEAKER:

The committee on corporations, to whom was referred House bill No. 88, entitled "An act to incorporate the Wyandott Lyceum," report the same back without amendment, and recommend its passage.

THOS. W. WATERSON, } Committee.
W. A. HIESKELL, }

The report was agreed to, and the bill read a third time, and passed.

By the committee on judiciary and criminal jurisprudence:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled "An act concerning costs," have had the same under consideration, and beg leave to report the same, with the following amendments:

In section 3, art. 1, strike out the words "justice's court," and insert "justice of the peace."

In section 14, after the word "probate," insert the word "court."

In sec. 16, before the word "inferior," insert the word "an."

In art., sec. 4, in the third line thereof, strike out the word "circuit," and insert the word "district."

From section 11 to the end, strike out the numbers of all the sections, and insert respectively 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23.

And recommend its passage as amended.

WM. G. MATHIAS, *Chairman.*
JOS. C. ANDERSON.
O. H. BROWNE,
S. A. WILLIAMS,
F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended read a third time and passed.

By the committee on agriculture:

MR. SPEAKER:

The committee on agriculture, to whom was referred Council bill No. 44, entitled "An act regulating weights and measures," beg leave to report the same back to the House, and recommend its passage.

JOHN M. BANKS, *Chairman.*
W. A. HIESKELL.
GEO. W. WARD.

The report was agreed to, and the bill read a third time and passed.

Mr. Williams, chairman of the committee on bounds of counties and districts, reported by bill of the following title:

An act to define the boundaries of the several counties of the Territory of Kansas.

And recommended its passage.

The report was adopted, and,

On motion by Mr. Anderson,

The bill was read a first time, and the rule suspended and the bill read a second time, and the bill and report of the committee ordered to be printed.

Mr. Waterson made the following motion:

That so much of the bill as refers to the Territory north of the Kansas river be referred to the delegation north of the said river, and that part south of the Kansas river to the delegation south of said river.

Mr. Mathias offered as a substitute:

That the bill be referred to the committee of the whole, and made the special order of the day for Monday next.

The substitute was adopted.

The question then being upon the passage of the substitute;

It was passed by the following vote,

Mr. McMeekin having called for the ayes and noes:

Ayes—Messrs. Anderson, Browne, Croysdale, Hieskell, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Ward, Whitlock, Williams, Younger, Mr. Speaker—15.

Noes—Messrs. Banks, Blair, Johnson, Tebbs, Wade, Waterson, and Weddle—7.

Absent—Mr. Houston.

Absent on leave—Messrs. Harris and Wilkinson—2.

Sick—Mr. Payne.

Message from the Council, by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled House bill entitled

An act to declare the Big Blue river a public highway.

The committee on roads and highways made the following report:

Mr. Speaker:

The committee on roads and highways, to whom was referred a bill entitled "An act to authorize James Findley to erect a bridge across the Wakarusa river." have had the same under consideration, and beg leave to report the following amendments, and recommend their adoption:

Strike out the proviso in the first section, and insert the following:

"Provided that the said bridge shall be completed within three years."

At the close of the fifth section, insert the following:

"Provided, that this act shall not be so construed as to interfere with any laws or regulations of the Shawnee Indians, or with the rights of any person who may have erected, or commenced the erection, of any ferry.

R. L. LIRK.
O. H. BROWNE.

The report was agreed to, and,

On motion by Mr. Johnson,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

The select committee to whom was referred Council bill entitled

An act to restrain intercourse with the Indians,

Made the following report:

Mr. Speaker:

The committee to whom was referred Council bill No. 14, beg leave to return the same, with the follwing amendments to the substitute of the Council:

Strike out in section 6, second line, the word "shall," and insert the word "may;" and add in third line of section 6, after the words "competent witness," "in the discretion of the court."

And recommend the passage of the substitute as amended.

F. J. MARSHALL, *Chairman.*
S. A. WILLIAMS.
JOS. C. ANDERSON.

The report was agreed to, and,

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time, and,

On motion by Mr. Speaker Stringfellow (Mr. Anderson in the Chair,)

Was recommitted, and referred to the committee on judiciary.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled bills of the following titles:

An act to establish a road from Westpoint, in Missouri, to Cofachiqui, in Kansas Territory.

An act concerning corporations.

An act to grant to F. J. Marshall and Albert G. Woodward exclusive privilege to establish a ferry across Big Blue river, at the the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road across the same river.

An act to declare the road now leading from the California road near Wakefield, to Lecompton, along the ridge between Snyder and William Toddhunter's, and marked out by a double furrow, a public highway.

An act to establish a territorial road from Leavenworth City to Osawkee, *via* Alexandria.

An act establishing territorial roads.

An act to declare a certain road from Shawnee Methodist Church South to the town of Tecumseh, a territorial road.

An act to incorporate Leavenworth Lodge, No. 150, of Ancient Free and Accepted Masons.

An act to declare the Santa Fe road a territorial road.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to the Great Nemaha river.

An act to provide for laying off and establishing a territorial road from he point where the Atchison, Kickapoo, and Leavenworth roads converge, by way of Osawkee and Tecumseh, to intersect the Santa Fe road at or near One Hundred and Ten.

An act to establish a territorial road from opposite Boston, Missouri, to a point on the California road, at or near the Half-way Grove, in Kansas Territory.

An act to establish a road from near Westport, Missouri, to Fort Scott, in Kansas Territory.

On motion by Mr. Whitlock,

The House adjourned.

EVENING SESSION.

The House met, pursuant to adjournment.

On motion by Mr. Kirk,
The House bill No. 74, entitled
An act to authorize James Findley to establish a bridge across the Wakarusa river,
Was taken up, and the vote passing the bill was reconsidered.
Mr. Kirk offered the following amendment, by way of rider:
Amend by way of rider, by striking out the enacting clause, and inserting, "Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas, as follows."
On motion by Mr. Weddle,
The rule was suspended, and the amendment read a second and third time and agreed to, and the bill as amended passed.

The following bills were introduced, read a first time, and severally disposed of, as follows:

By Mr. Mathias:

An act to grant pre-emptions on school lands in certain cases.
On motion by Mr. Waterson,
The rule was suspended, the bill read a second time, and referred to the committee on education.

By Mr. Anderson:

An act to delare a certain road a territorial road.
On motion by Mr. McGee,
The rule was suspended, the bill read a second time, and,
On motion by Mr. Anderson,
Was referred to the committee on roads and highways.

By Mr. McMeekin:

An act to locate a territorial road.
On motion by Mr. McGee,
The rule was suspended, the bill read a second time, and referred to the committee on roads and highways.

By Mr. Wade:

An act allowing suits against officers, for services rendered under illegal orders,
Was ordered to a second reading.

By Mr. Ward:

An act to establish a territorial road from the Willow Springs to Douglas.
On motion by Mr. McGee,
The rule was suspended, the bill read a second time, and referred to the committee on roads and highways.

Mr. Wade asked leave of absence until Monday next.
Which was granted.

The second reading of bills being in order,
The following bills were taken up, read a second time, and severally disposed of, as follows:

An act to establish a territorial road from a point above Franklin, on the California road, *via* the Lake and Kansas river, then to the town of Lecompton, Kansas Territory, was,
On motion by Mr. Weddle,
Referred to the committee on roads and highways.

An act for the entire prohibition of lotteries, was,
On motion by Mr. Anderson,
Referred to the committee on finance.

An act to establish a territorial road in the Territory of Kansas, was,
On motion by Mr. McGee,
Referred to the committee on roads and highways.

An act to establish a territorial road from Atchison, *via* Mount Pleasant and Hickory Point, to a point on the Kansas river opposite the town of Lecompton, in Kansas Territory, was,
On motion by Mr. Kirk,
Referred to the committee on roads and highways.

An act concerning free colored people, was,
On motion by Mr. Weddle,
Referred to the committee on judiciary.

An act to locate and establish a territorial road from the town of Atchison to the town of Osawkee, was,
On motion by Mr. Kirk,
Referred to the committee on roads and highways.

The House bill No. 78, entitled
An act to provide for the location of territorial roads in the Territory of Kansas,
Was taken up, read a third time, and,
On motion by Mr. Anderson,
Recommitted and referred to the committee on roads and highways.

The reading of bills from the Council being in order,
The following bills were read and disposed of, as follows:
Read a third time:

An act concerning inquests,
Was passed.

Read a first time:

An act establishing a territorial road from the town of Iowa Point to Enfatah, on the Arkansas river.
On motion by Mr. Waterson,

The rules were suspended, and the bill read a second time, and referred to the committee on roads and highways.

An act concerning attorneys at law.
On motion by Mr. Anderson,
The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

An act to define the duties of justices of the peace, in cases of breach of the peace.
On motion by Mr. Marshall,
The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act concerning descents and distributions.
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act to regulate marks and brands.
On motion by Mr. McGee,
The rule was suspended, and the bill read a second time, and referred to the committee on agriculture.

An act for the speedy recovery of debts due on bonds and notes.
On motion by Mr. Marshall,
The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act concerning perpetuating testimony.
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and referred to the committee on the judiciary.

An act to establish and regulate justices' courts.
On motion by Mr. McMeekin,
The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

An act concerning fraudulent conveyances.
On motion by Mr. Waterson,
The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

A bill concerning the action of replevin.
On motion by Mr. McMeekin,
The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

An act for opening and keeping in repair roads and highways.
On motion by Mr. McGee,
The rule was suspended, the bill read a second time, and referred to the committee on roads and highways.

An act to authorize Fox B. Booth to keep a ferry.
On motion by Mr. Marshall,
The rule was suspended, the bill read a second time, and referred to the committee on roads and highways.

An act concerning securities.
On motion by Mr. Waterson,
The rule was suspended, the bill read a second time, and referred to the committee on finance.

An act concerning set-off.
On motion by Mr. Kirk,
The rule was suspended, the bill read a second time, and referred to the committee on judiciary.

An act designating the pay of certain officers,
Was ordered to a second reading.

An act providing for the appointment of constables, and prescribing their duties,
Was ordered to a second reading.

A bill to locate a territorial road from a point opposite Westpoint, Missouri, to Marysville, Kansas Territory,
Was ordered to a second reading

An act to establish a territorial road from the town of Kickapoo, in the Territory of Kansas, to intersect the military road leading from Fort Leavenworth to Fort Riley,
Was ordered to a second reading.

An act to regulate the limitation of actions,
Was ordered to a second reading.

An act regulating the granting injunctions,
Was ordered to a second reading.

Mr. Weddle moved that three hundred copies of the House catalogue of members of this Legislature, with their residences, occupations, &c., be printed for the use of the House.
Which was not agreed to.

On motion by Mr. Williams,
The House adjourned, by the following vote,
Mr. Mathias having called for the ayes and noes:

AYES.—Messrs. Croysdale, Hieskell, Johnson, Kirk, Marshall, Mathias, Tebbs, Ward, Waterson, Whitlock, Williams, Younger—12.
NOES.—Messrs. Anderson, Banks, Blair, Browne, McGee, McMeekin, Scott, Weddle, Mr. Speaker—9.
Absent—Messrs. Houston and Wilkinson—2.
Absent on leave—Messrs. Harris and Wade—2.
Sick—Mr. Payne.

So the House adjourned.

FRIDAY MORNING, AUGUST 3, 1855.

House met pursuant to adjournment.

Prayer by Rev. Mr. Peery.

The journal of yesterday was read and approved.

Reports from standing committees being in order,

The committee on roads and highways made the following report:

MR. SPEAKER:

The committee on roads and highways, to whom was referred House bill No. 49, and accompanying petition,

Beg leave to report the same back with the following amendment:

Strike out the whole of section seventh,

And recommend its passage as amended.

R. L. KIRK,
H. B. C. HARRIS.

The report was agreed to.

On motion by Mr. Kirk,

The rule was suspended and the amendment read a second and third time and the bill passed as amended.

By the committee on finance.

MR. SPEAKER:

The committee on finance to whom was referred Council bill entitled

An act concerning securities,

Beg leave to report the same without amendment, and recommend its passage.

WM. A. HIESKELL.
H. D. McMEEKIN.
SAMUEL SCOTT.

The report was agreed to.

The bill was read a third time and passed.

By the select committee to whom was referred House bill No. 80, entitled An act to exempt certain property from execution.

MR. SPEAKER:

The select committee to whom was referred House bill No. 80, entitled

An act to exempt certain property from execution,

Report the following as a substitute for said bill, And recommend its passage.

THOS. W. WATERSON,
A. PAYNE,
S. A. WILLIAMS.

The report was agreed to.

The substitute of the following title:
An act to exempt certain property from execution,
Was read a first time, and
On motion by Mr. McMeekin,
The rule was suspended, and the bill read a second time.

Mr. Weddle offered the following amendment:

Amend by inserting between the words "dollars," and "exempt," the words "and single persons over the age of twenty-one years, half the amount."

On motion by Mr. Anderson,
The bill was laid over for the present.

By the same committee.

MR. SPEAKER:

The select committee to whom was referred House bill No. 89, entitled
An act to exempt certain property from execution,
Report the same back without amendment,
And recommend its passage.

THOS. W. WATERSON,
A. PAYNE,
S. A. WILLIAMS.

The report was agreed to.

On motion by Mr. Anderson,
The bill and also the House bill and substitute of the same titles were recommitted and referred to a select committee consisting of Messrs. Waterson, Payne and Williams.

Mr. Anderson, from the committee on roads and highways reported the following bills, which report was agreed to, and the bills read a third time and passed:
An act to establish a territorial road from a point opposite St. Joseph, Missouri, to Fort Riley, in the Territory of Kansas.
An act to establish a ferry across the Missouri river.
An act to locate and establish a territorial road from the town of Atchison, to the town of Osawkee.
An act to declare a certain road a territorial road.
An act to establish a territorial road from a point above Franklin on the California road, *via* the Lake and Kansas river, then to the town of Lecompton, Kanses Territory.
An act to establish a territorial road from Atchison, *via* Mount Pleasant and Hickory Point, to a point on the Kansas river, opposite the town of Lecompton, Kansas Territory.
An act to locate a territorial road.
An act to locate and establish a territorial road from the town of Atchison to the town of Marysville.

By the standing committee on the seat of government:

Mr. Speaker:

The standing committee on the seat of government, having had the subject under consideration for a sufficient length of time, and having carefully weighed the matter in their minds, and examined all the premises, ask leave to submit the following resolution as the best method (in their opinion,) which can be adopted for locating the permanent seat of government of Kansas Territory, with least trouble to ourselves, and with most benefit and fairness to the people.

WM. H. TEBBS, *Chairman.*
H. D. McMEEKIN.
R. L. KIRK.
D. L. CROYSDALE.

The report was agreed to.

The resolution is as follows:

Be it Resolved, By the House of Representatives of Kansas Territory, the Council concurring therein, that the two Houses of this Legislature in joint session, on Wednesday the 8th day of August, proceed to the selection of a proper place for the permanent seat of government for Kansas Territory, in the following manner, to wit:

That each place contending for the capital shall be put in nomination, and after each successive ballot, that place recieving the smallest number of votes, shall be stricken from the list, until all but two are dropped, when the question shall then be, Which of the two places so running shall be chosen as the permanent seat of government? and that place receiving a majority of the votes cast, shall be declared the permanent seat of government for Kansas Territory.

Mr. Speaker Stringfellow,
Mr. Waterson in the Chair,
Offered the following as a substitute:

Resolved, By the House of Representatives, the Council concurring therein, that the two Houses of this Legislative Assembly, go into joint session on the ——— day of August, and proceed to select a suitable place for the permanent seat of government and so soon as any point shall be selected, then the session to be dissolved, and such laws be enacted as will locate by law the permanent seat of government at the point thus selected.

Mr. Tebbs accepted the substitute.

The rule was suspended, and the resalution read a second time and adopted

Mr. Marshall moved to fill the blank with the "8th."

Mr. McGee moved as a substitute the "16th."

Mr. Mathias moved as a substitute, the "13th."

The vote being upon filling the blank with "16th," and "13th" successively,

It was lost.

The question being upon filling the blank with the "8th,"

It was decided in the affirmative,

Message from the Council, by Mr. Grover, Assistant Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been introduced into the Council :

An act giving meaning to the word State.
An act supplemental to an act to incorporate the city of Leavenworth.
An act to incorporate the city of Pawnee.
An act to regulate practice in the courts of chancery,
An act to incorporate the town of Cofachiqui.
An act to incorporate the Engatah Association.
An act concerning bills of exchange and negotiable promissory notes.
An act to establish a ferry at the town of Doniphan.

Also, that the Council has passed House bills of the following titles :

An act respecting lost money and goods.
An act to establish a road from Osawkee to Grasshopper Falls.
An act to locate a territorial road from St. Joseph, Missouri, to Marysville, Kansas Territory.
An act to view and mark out a road from the eastern boundary line of the Territory of Kansas, near Westport, Jackson county, Mo., a part of the way and declare a part of the road as the present road which now runs to Fort Leavenworth, a territorial road.
An act to incorporate the Lecompton Bridge Company.
An act concerning arbitrations and awards.
An act to incorporate the city of Kickapoo.

Also, the following Council bills :

An act to incorporate a ferry in the Territory of Kansas, opposite the town of Iatan, in Missouri.
An act giving meaning to the word State.
An act to incorporate the city of Pawnee.
An act to incorporate a ferry at Whitehead, in Kansas Territory.
An act to regulate the practice in courts of chancery.
An act regulating contracts and promises.
An act concerning evidence.

Message from the Council, by Mr. Halderman, Chief Clerk :

MR. SPEAKER :

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled Council bills of the following titles.

An act to incorporate the Mount Aurora Cemetery and Town Association.
An act to incorporate the Tecumseh Lyceum and Library Association.
An act concerning apprentices.
An act to establish a public ferry at the town of Iowa Point, in Kansas Territory.
An act in relation to county organizations, powers and privileges.
An act regulating the erection of county buildings.

By the committee on judiciary and criminal jurisprudence.

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 87, entitled

An act authorizing officers to call to their assistance the power of the county,

Beg leave to report the same with the following amendments:

In section 1, after the words "twenty-one years," insert the words "and under fifty-five years."

Add in section 2, after the word "dollars," the last word in the section, the clause, "and shall also be imprisoned at the discretion of the court."

Also add

Section 3. All persons violating the provisions of this act may be prosecuted by the said officer, before any court having cognizance thereof."

And recommend its passage as amended.

WM. G. MATHIAS, *Chairman*.
JOS. C. ANDERSON.
F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. Mathias,

The rule was suspended, and the amendments read a second time, and agreed to, and the bill as amended read a third time and passed.

By the same committee:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act concerning forcible entry and detainer,

Have had the same under consideration, and beg leave to report the same with the following amendments:

In section 23, Strike out in the fourth and fifth lines "the State of Missouri," and insert "the Territory of Kansas."

In article 11, sec. 1, strike out the words "appeal or."

In sec. 36, in the first line, strike out after the word "other," "superior," and insert "inferior," and after the word "courts," insert the words "of record." And recommend its passage as amended.

WM. G. MATHIAS, *Chairman*.
J. C. ANDERSON.
S. A. WILLIAMS.
F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. Hieskell,

The rule was suspended, and the amendment read a second time and agreed to; and the bill as amended read a third time and passed.

By the committee on judiciary and criminal jurisprudence:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act respecting public administrators,

Have had the same under consideration, and beg leave to report the same back with the following amendment.

In section 2, fourth line, after the word "probate," insert the word "court."

And as amended, recommend its passage.

WM. G. MATHIAS, *Chairman.*
JOS. C. ANDERSON.
S. A. WIILIAMS.
F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. Hieskell,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

The committee on roads and highways made the following report:

MR. SPEAKER:

The committee on roads and highways, to whom was referred House bill No. 45, beg leave to report the same back to the House with the following amendment:

Strike out the whole of third section.

R. L. LIRK.
H. B. C. HARRIS.

The report was adopted, and,

On motion,

The rule was suspended and the amendment read a second and third time and the bill passed as amended.

The committee on roads and highways made the following report:

MR. SPEAKER:

The committee on roads and highways, to whom was referred the House bill No. 78, entitled

An act to provide for the location of a territorial road in the Territory of Kansas, have had the same under consideration, and report the same back with the following amendments:

At the end of section 11 insert

Section 12. All acts or parts of acts inconsistent with the provisions of this act, be, and they are hereby declared to be inoperative.

And in section 10, after the words "sum of," insert the words "at the discretion of the court not exceeding."

And recommend its passage as amended.

WM. G. MATHIAS, *Chairman.*
R. L. KIRK.
H. B. C. HARRIS.

The report was agreed to,

On motion by Mr. Weddle,
The rule was suspended, and the amendment read a second time.

Mr. Speaker Stringfellow, Mr. Waterson in the Chair,
Offered the following amendment:
Insert the words "or which may have been located," between the words "establish" and "written."
On motion by Mr. Kirk,
The rule was suspended, and the amendment read a second time, and
On motion by Mr. Anderson,
The bill and amendments
Were recommitted to the committee on roads and highways.

The joint committee on enrolled bills made the following report;

MR. SPEAKER:

From the joint committee on enrolled bills, I beg leave to report that at 11 o'clock, (Friday) the following Council bills were placed in the hands of his Excellency A. H. Reeder, signed by the Speaker, and President of the Council,

An act to incorporate the Mt. Aurora Cemetery and Town Association.
An act to incorporate the Tecumseh Lyceum and Library Association.
An act concerning apprentices.
An act to establish a public ferry at the town of Iowa Point in Kansas Territory.
An act in relation to county organizations, powers and privileges.
An act in relation to the erection of county buildings.
All of which is respectfully submitted.

JOS. C. ANDERSON,
Chairman of House Com:

On motion by Mr. Weddle,
The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

On motion by Mr. Croysdale,

The roll of the House was called.

ABSENT—Messrs. Anderson, Banks, Browne, Houston, Whitlock, Johnson, Marshall, McGee, Payne and Younger—10.
ABSENT ON LEAVE—Messrs. Wade and Wilkinson—2.
SICK—Mr. Harris.

A quorum present.

The committee on roads and highways made the following report:

MR. SPEAKER:

The committee on roads and highways, to whom was referred House bill No. 86, beg leave to report the same back to the House without amendment, and recommend its rejection.

R. L. KIRK.

The report was received.

By the committee on public printing:

MR. SPEAKER:

Your committee on public printing beg leave herewith to present the following statement of the public printer, and ask that it may be received as a report of the committee on printing.

H. D. McMEEKIN, *Chairman.*

Report of the Public Printer.

To the Hon. Chairman of the committee on public printing of the House of Representatives of the Territory of Kansas.

In compliance with the resolution passed on the third instant, requiring me to report the number of ems and tokens contained in the amount of printing done by me for said House up to this date. I report as follows:

Number of ems. - - - - -	239,100
Number of tokens, - - - - -	29

All of which is most respectfully submitted.

JOHN T. BRADY, *Public Printer.*

The report was agreed to.

By the committee on judiciary and criminal jurisprudence:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 48, entitled "An act to provide for the location of territorial roads in the Territory of Kansas," with the amendments thereto have had the same under consideration, and beg leave to report the bill with the following amendments:

Strike out section 12, entire, in the amendment; and amend the tenth section as proposed in the amendment, and insert as proposed by the amendment offered by Mr. Stringfellow, and recommend its passage as amended.

WM. G. MATHIAS, *Chairman.*

The report was agreed to, and the amendment agreed to, and the bill as amended was read a third time and passed.

Message from the Council by Mr. Rees, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that they have returned to the House the bill entitled

An act to prevent the firing of woods, marshes, and prairies.

And to inform the House that in Council, on the second reading of the bill, it was referred to the committee on the judiciary. On the 21st of July, the committee reported back the bill, with an amendment striking out the fifth section, which was adopted. Mr. Rees moved to amend by inserting after section 5, "Provided, nothing in this act shall be so construed as to apply to any person in good faith firing around his own farm, for the purpose of protecting the same, so that such firing be done with proper care."

Mr. Coffey moved to lay the amendment on the table, which motion was carried, and so the bill as amended went down to the House with the fifth section stricken out.

Also,

That the Council has passed the Council bill entitled

An act supplemental to an act entitled an act to incorporate the city of Leavenworth.

Also,

That the Council refuses to concur in the House amendment to the Council bill entitled

An act concerning coroners.

On motion by Mr. Waterson,

The Council bill entitled

An act concerning coroners,

Was taken up, and the amendment made by the House insisted upon.

On motion by Mr. Speaker Stringfellow, (Mr. Anderson in the Chair,)

The Councill bill returned by the Council to the House, with an amendment which had been lost, entitled

An act to prevent the firing of woods, marshes, and prairies,

Was taken up, recommitted, and referred to a select committee consisting of Messrs. Waterson, Kirk, and Banks.

On motion by Mr. Mathias,

The Council bill entitled

An act supplemental to an act entitled an act to incorporate the city of Leavenworth,

Was taken up, read a first time, and,

On motion by Mr. Mathias,

The rule was suspended, and the bill read a second and third time, and passed.

Mr. Ward introduced a bill entitled

An act to establish a territorial road from a point on the old California road, on the west side of Little Wakarusa, to Matthew Rule's on Big Wakarusa.

Which was read a first time, and ordered to a second reading.

Mr. Scott introduced a bill entitled

An act to prevent non-residents from grazing stock in Kansas Territory.

Which was read a first time, and,

On motion by Mr. McGee,

The rule was suspended, and the bill read a second time, and,
On motion by Mr. Kirk,
Referred to the committee on agriculture.

The House bill No. 103, entitled
An act allowing suits against officers, for services rendered under illegal orders,
Was taken up, read a second time, and the rule suspended and the bill read a third time and passed.

The reading of Council bills being in order,
The following bills were read a second time, and severally disposed of, as follows:

An act designating the pay of certain officers, was,
On motion by Mr. Mathias,
Referred to the committee on judiciary and criminal jurisprudence.

An act providing for the appointment of constables, and prescribing their duties, was,
On motion by Mr. Hieskell,
Referred to the committee on judiciary and criminal jurisprudence.

A bill entitled an act to locate a territorial road from a point opposite Westpoint, Missouri, to Marysville, Kansas Territory, was,
On motion by Mr. McGee,
Referred to the committee on roads and highways.

An act to establish a territorial road from the town of Kickapoo, in the Territory of Kansas, to intersect the military road leading from Fort Leavenworth to Fort Riley, was,
On motion by Mr. Marshall,
Referred to the committee on roads and highways.

An act to regulate the limitations of actions, was,
On motion by Mr. Marshall,
Referred to the committee on judiciary and criminal jurisprudence.

The following bills were read a first time, and severally disposed of, as follows:

An act concerning evidence,
Was ordered to a second reading.

An act regulating contracts,
Was ordered to a second reading

An act giving meaning to the word State,
Was ordered to a second reading.

An act to incorporate the city of Pawnee,
Was ordered to a second reading.

An act regulating the practice in courts of chancery,
Was ordered to a second reading.

An act to incorporate a ferry at Whitehead, in Kansas Territory,
Was ordered to a second reading.

An act to incorporate a ferry in the Territory of Kansas, opposite the town of Iatan, Missouri,
Was ordered to a second reading.

On motion,
Leave of absence was granted to Mr. Tebbs until Monday next.

Mr. McGee moved that leave of absence be granted to Mr. Banks until Monday next.
Which was not granted.

Mr. McGee asked leave of absence until Monday next.
Which was not granted.

An act regulating the interest of money,
Was taken up, and the amendments read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled House bills of the following titles:

An act to view and mark out a road from One Hundred and Ten, to intersect the military road from Fort Leavenworth to Fort Riley.
An act declaring certain roads public highways.

On motion by Mr. Mathias,
The House adjourned until Monday next.

MONDAY, MORNING, AUGUST 6, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Kirk presented the petition of Cyrafton Thomasson, Geo. A. Ringo, William Pennee, B. G. Wells, and others, praying that a ferry charter may be granted to William P. Lamb, at the town of Atchison, in Kansas Territory.
On motion by Mr. Weddle,
The petition was referred to the committee on roads and highways.

Mr. Harris, chairman of the committee on roads and highways, to whom was referred House bill No. 96, entitled

An act to establish a territorial road in the Territory of Kansas,

Reported the same back with the following amendment:

In section 1, strike out "Napoleon B. Blanton," and insert "Samuel C. Wear."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Kirk,

The rule was suspended, and the amendment read a second time and agreed to, and the bill read a third time as amended and passed.

Mr. Harris, chairman of the same committee, to whom was referred also the Council bill entitled

An act to establish a territorial road from the town of Kickapoo, in the Territory of Kansas, to intersect the military road leading from Fort Leavenworth to Fort Riley,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and the bill read a third time and passed.

The committee on judiciary and criminan jurisprudence reported, through their chairmag, Mr. Mathias, bills of the following titles, which were severally disposed of as follows:

An act concerning debtors and their securities, with the following amendments:

In the title, strike out the words "a bill entitled."

In section 1, after the word "such," at the end of the 11th line, add the words "bond, bill, note or."

In section 6, strike out all after the word "rendered," in the ninth line.

And strike out section 7 entirely.

On motion by Mr. Weddle,

The rules were suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning set-off, with the following amendments:

Strike out the enacting clause, and insert, "Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas."

In section 10, after the word "from," insert "and after."

And as amended recommended its passage.

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning descents and distributions, with the following amendments:

In the enacting clause, strike out "Kansas Territory," and insert the words "the Territory of Kansas."

And as amended recommended its passage.

The report was adopted.

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning the action of replevin, with the following amendments:

In the enacting clause strike out the words "Kansas Territory," and insert "the Territory of Kansas."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning fraudulent conveyances, with the following amendment:

In the enacting clause strike out "Kansas Territory," and insert "the Territory of Kansas."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Payne,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act to define the duties of justices of the peace, in cases of breach of the peace, with the following amendments:

Strike out in the enacting clause the words "Kansas Territory," and insert "the Territory of Kansas."

Strike out, entire, sections first and second, and insert as follows:

Sec. 1. Justices of the peace may have jurisdiction of all cases of simple assault and battery and affrays; provided, however, that nothing herein contained shall be construed to extend to cases of assault and battery and affrays, which by any of the laws of this Territory are punishable by imprisonment, or where the damages alleged to have been sustained exceeds the sum of one hundred dollars; and provided, further, that nothing herein contained shall prevent a prosecution of such assault and battery or affray, by indictment in the courts of this Territory having criminal jurisdiction.

Sec. 2. Said justices of the peace shall, and they are hereby authorized and empowered, to cause to be arrested any person or persons charged with any offense against the peace or quiet of the county or neighborhood in which he may reside, for any assault and battery or affray, riot, rout, or unlawful assembly, and the person or persons thus arrested, if the said justice, on a full examination of the matter before him, shall find that the offense is such as would subject the person or persons thus charged to imprisonment or fine exceeding one hundred dollars, he shall require such person or persons to give bail for their appearance at the next term of the court for the county in which the offense was committed, having criminal jurisdiction.

Strike out all after the words "sec. 11," and insert:

In all trials before justices of the peace under this act, said justice of the peace shall try the same according to the laws of the Territory, and the right and justice of the matter, and said justice shall be judge of the law and the fact, and if he finds the party guilty, he shall assess the fine or damage, or fine, according to the nature and extent of the offense.

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Waterson,

The rules were suspended, the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning the action of detinue, with the following amendment:

Strike out in the enacting clause the words "Kansas Territory," and insert the words "the Territory of Kansas."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

An act concerning attorneys at law, with the following amendments:

Strike out in the enacting clause the words "Kansas Territory," and insert "the Territory of Kansas."

In section 7, strike out after the word "record," in the third line, the word "court."

In section 18, strike out after the word "any," in the third line, and insert the word "district."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time, and passed.

An act for the speedy recovery of debts due on bonds and notes, with the following amendment:

Strike out in the enacting clause the words "Kansas Territory," and insert "the Territory of Kansas."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

On leave, Mr. Mathias offered the following resolution, which was adopted:

Resolved, That the Honorable Secretary of this Territory be and he is hereby authorized to purchase wafers for the use of this House.

On motion by Mr. Mathias,

The House resolved itself into committee of the whole, for the purpose of considering the bill to define the boundaries of the several counties of the Territory of Kansas.

Mr. Anderson in the Chair.

After some time spent in committee,

On motion by Mr. Weddle,

The committee rose, and through their chairman, Mr. Anderson, made the following report, which was adopted:

MR. SPEAKER;

The committee of the whole House, to whom was referred a bill entitled "An act to define the boundaries of the several counties in the Territory of

Kansas," have had the same under consideration, have made some progress therein, and beg leave to sit again.

On motion by Mr. Waterson,
The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

Mr. Anderson, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER:

The joint committee on enrolled bills in the possession of the Governor, beg leave to report that bills of the following titles have been returned, after having been in the hands of the Governor over three days, and are herewith delivered to the House of Representatives in which they originated, as laws, to be transmitted for file to the Secretary of the Territory:

An act to declare the Big Blue river a navigable stream and a public highway.
An act to provide for the collection of demands growing out of contracts for sale of improvements on public lands in the Territory of Kansas.
An act to establish a ferry at the town of Leavenworth, in the Territory of Kansas.
An act to establish a ferry at Thompson's Landing, in Kansas Territory.

On motion by Mr. Anderson,
The House resolved itself into a committee of the whole, for the further consideration of the bill defining the boundaries of the several counties of the Territory of Kansas.
Mr. Anderson in the Chair.
After some time spent in committee,
On motion by Mr. Waterson,
The committee rose, and through their chairman, Mr. Anderson, made the following report, which was agreed to:

MR. SPEAKER:

The committee of the whole House, to whom was referred House bill entitled "An act to define the boundaries of the several counties of the Territory of Kansas," have had the same under consideration, and have desired me to report the recommendation of the following concurrent resolution for the adoption of the House:

Resolved, By the House of Representatives, the Council concurring therein, that the boundaries of the counties of Doniphan, Atchison, and Leavenworth be submitted to all the Representatives and members of the Council north of the Kansas river, and that they be required to make a report to the House on Tuesday, the 7th instant.

Mr. Waterson moved that the rules be suspended, and the resolution read a second time.

Which was lost by the following vote,

The ayes and noes having been demanded by Mr. Mathias:

AYES.—Messrs. Anderson, Blair, Harris, Hieskell, Johnson, McGee, Payne, Scott, Wade, Waterson, Weddle, Younger—12.

NOES.—Messrs. Kirk, Mathias, McMeekin, Tebbs, Ward, Whitlock, Williams, Mr. Speaker—8.

Absent—Messrs. Banks, Browne, Croysdale, Marshall, and Houston—5.

Absent on leave—Mr. Wilkinson.

The rule requiring a two-thirds vote, the rule was not suspended.

Mr. Anderson offered the following resolution, which was adopted:

Resolved, By the House of Representatives of the Territory of Kansas, that the boundaries of the counties of Doniphan, Atchison, and Leavenworth, be submitted to a committee to consist of all the members north of the Kansas river, and that they be instructed to make a report to the House on tomorrow morning.

On motion by Mr. Anderson,

The select committee to whom was referred House bill entitled "An act to exempt slaves from sale under execution," were required to report by tomorrow morning.

Mr. Payne moved that the House adjourn.

Which was lost.

Message from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the following concurrent resolution, and ask the concurrence of the House thereto:

Resolved. By the Council, the House of Representatives concurring therein, that the Public Printer be and he is hereby authorized and directed to print five hundred copies of the journals of each House.

Reports from standing committees being in order,

Mr. Waterson, from the committee to whom was referred Council bill entitled

An act to prevent the firing of woods, marshes, and prairies,

Reported a substitute of the same title, and recommended its passage.

The substitute was read a first time, and,

On motion by Mr. Kirk,

The rules were suspended, and the substitute read a second time, and,

On motion by Mr. Anderson,

The substitute was recommitted, and referred to the same committee.

Mr. Anderson, chairman of the committee on elections, made the following report:

Mr. Speaker:

The committee on elections, to whom were referred House bills Nos. 52 and 73, have had the same under consideration.
They have examined the two bills and have blended them into one, and have also embraced in the substitute which they herewith offer, a complete election law.
The committee recommend the rejection of the said bills, and the adoption and passage of the substitute.
The report was agreed to.
The substitute of the following title:
An act to regulate elections,
Was read a first time, and,
On motion by Mr. Anderson,
The rule was suspended, and the bill read a second time and ordered to be engrossed, and fifty copies to be printed.

On motion by Mr. Wade,
The House adjourned.

TUSEDAY MORNING, August 7, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Kirk from the committee on roads and highways to whom was referred Council bill entitled
An act to locate a territorial road from the Missouri State line to Fort Atkinson,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill was read a third time and passed.

Mr. McGee from the select committee to whom was referred House bill entitled
An act to exempt slaves from sale under execution,
Asked leave for furteer time to report,
Leave was granted.

On motion by Mr. Browne,
Permission was granted to Mr. Anderson to present a minority report upon the same bill at any time.

The following message was received from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representative that the Council has passed House bills of the following titles:

An act for securing liens to mechanics and others.
An act to prevent trespass on the possessions of settlers on the public lands.
An act for the incorporation of towns and to prevent the circulation of town and city script.
An act to license and tax peddlers.
An act concerning marriage contracts.
An act to establish a territorial road from a point opposite St. Joseph, Missouri to Indianola, in the Territory of Kansas.
An act to authorize Thomas N. Stinson to establish a ferry across the Kansas river, at the town of Tecumseh.
An act to establish a territorial road from Leavenworth to Indianola, by the way of Money Creek and Grasshopper Falls, in the Territory of Kansas.
An act concerning strays.
An act regulating marriages.
An act granting to Lewis Trombly exclusive right to a bridge across the Vermillion branch of the Big Blue river at the crossing of the Independence and California road.
An act to establish a territorial road from Atchison to Pawnee by the way of Grasshopper Falls in the Territory of Kansas.

Also, Council bills of the following titles:

An act regulating conveyances.
An act establishing a ferry at the town of Doniphan, in Kansas Territory.
An act concerning witnesses.
An act concerning the statutes and legislative proceedings.
An act to establish the office of County Treasurer.
An act to regulate proceedings in criminal cases.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has concurred in the House concurrent resolution to go into joint session on the 8th day of August to select a suitable place for the permanent seat of government for the Territory of Kansas.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that a bill entitled an act to establish a ferry at Lewis Point, is now in the possession of the Council committee on corporations, and will be reported upon at an early day.

The select committee consisting of Messrs. Waterson, Kirk and Banks, to whom was referred Council entitled

An act to prevent the firing of woods, marshes, and prairies,

Reported the same back with the following amendment:

Amend sec. 4, by inserting after the word "slave," and in the second line, the words "with the consent or by the command of his master."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Waterson,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias from the committee on roads and highways to whom was referred the petition of Wm. P. Lamb and others asking this Legislature to grant them the exclusive privilege to establish a ferry at the town of Atchison, in Kansas Territory,

Reported the same back and recommended its rejection.

The report was received.

Mr. Harris moved that the petition and report lie over for the present.

Which was lost.

The petition was then rejected by the following vote,

The ayes and noes having been called for:

Ayes.—Messrs. Banks, Blair, Browne, Hiskell, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Whitlock, Williams, Younger and Mr. Speaker—19.

No.—Mr. Harris—1.

Absent—Messrs. Anderson, Croysdale, Houston, McGee and Weddle—5.

Absent on leave—Mr. Wilkinson.

Message from the Council by Mr. Halderman, chief clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled House bills of the following titles:

An act to declare the road now leading from the California road near Wakefield to Lecompton, along the ridge between Snyder and Wm. Toddhunter's, and marked out by a double furrow, a public highway.

An act to declare the Santa Fe road a territorial road.

An act entitled an act to locate a territorial road from a point opposite Westpoint, in Missouri, to Cofachiqui, by way of Ballard and Taylor's Ford and the Catholic mission.

An act to establish a territorial road from opposite Beston Missouri, to a point on the California road at or near the Half-way Grove in Kansas Territory.

An act to grant to F. J. Marshall and Abner G. Woodward exclusive privileges to establish a ferry across the Big Blue river at the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road across the same river.

An act to provide for laying out and establishing a territorial road from the point where the Atchison, Kickapoo and Leavenworth roads converge, by way of Osawkee and Tecumseh, to intersect the Santa Fe road at or near One Hundred and Ten.

An act to establish a territorial road from Leavenworth to Osawkee, *via* Alexandria.

An act establishing territorial roads.

An act to declare a certain road from the Shawnee Methodist Church South, to the town of Tecumseh, a territorial road.

An act to incorporate Leavenworth Lodge No. 150, Ancient Free and Accepted Masons.

An act to establirh a territorial road from the territorial line near Westport, Missouri, to Fort Scott, in the Territory of Kansas.

An act to view and mark out a road from One Hundred and Ten, to intersect the military road from Fort Leavenworth to Fort Riley.

An act concerning corporations.

An act to declare certain roads public highways.

An act to establish a territorial road from a point opposite St. Joseph, Mo., to the great Nemaha river.

Mr. Harris, chairman of the committee on roads and highways, to whom was referred House bill No. 75, entitled

An act to view and mark out a territorial road from Doniphan city to Kelley's Ferry, on the Missouri river,

Reported the same back with the following amendment:

Between the words "Doniphan city," and "thence," insert the words "thence to Palermare."

And recommend its passage as amended.

The report was agreed to, and

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to and the bill as amended read a third time and passed.

Mr. Harris, chairman of the same committee, to whom was referred also the Council bill entitled

An act to authorize Fox B. Booth to keep a ferry,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to and

The bill read a third time and passed.

Mr. Hieskell from the committee on agriculture to whom was referred House bill No. 108, entitled

An act to prevent non-residents from grazing stock in the Territory.

Reported the same back without amendment,

And as amended, recommended its passage.

The report was agreed to, and

The bill read a third time.

Mr. [illegible] offered the following amendment by way of rider:

Amend by reducing the amount to half of the original price, and inserting the following: "That all stock brought into the Territory under the provisions of this bill shall have a herder."

The amendment was read a first time, and,

On motion by Mr. Waterson,

The bill was referred to the committee on judiciary and criminal jurisprudence.

On leave, Mr. Anderson, from the select committee to whom was referred the House bill entitled

An act to exempt slaves from sale under execution,

Made a minority report against the passage of the bill.

The report was agreed to, and fifty copies ordered to be printed.

The select committee, consisting of Messrs. Waterson, Williams, and Payne, to whom was referred House bill No. 80, entitled

An act declaring certain property exempt from execution,

Also, House bill No. 89, and substitute of the same title,

Reported a substitute to said bills, and recommended its passage.

The report was agreed to, and the substitute of the following title:

An act to exempt homesteads, and certain other property from execution.

Was read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Waterson,

The bill was considered engrossed, and fifty copies ordered to be printed.

Mr. Waterson introduced a bill entitled

An act to establish a territorial road from Whitehead, to intersect the St. Joseph and Fort Riley road.

Which was read a first time, and,

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time and referred to the committee on roads and highways.

The House bill No. 107, entitled

An act to establish a territorial road from a point on the old California road, on the west side of the Little Wakarusa, to Matthew Rule's, on Big Wakarusa,

Was taken up and read a second time, and,

On motion by Mr. Anderson,

Referred to the committee on roads and highways.

The second reading of Council bills being in order,

The following bills were read a second time, and severally disposed of, as follows:

An act to incorporate a ferry in the Territory of Kansas, opposite the town of Iatan, in Missouri, was,

On motion by Mr. Hieskell,

Referred to the committee on roads and highways.

An act to incorporate a ferry at Whitehead, in Kansas Territory, was,

On motion by Mr. Waterson,

Referred to the committee on roads and highways.

An act to regulate the practice in courts of chancery, was,
On motion by Mr. Hieskell,
Referred to the committee on judiciary and criminal jurisprudence.

An act to incorporate the city of Pawnee, was,
On motion by Mr. Weddle,
Referred to the committee on corporations.

An act giving meaning to the word State, was,
On motion by Mr. Waterson,
Referred to the committee on judiciary and criminal jurisprudence.

An act regulating contracts and promises, was,
On motion by Mr. McMeekin,
Referred to the committee on corporations.

An act concerning evidence, was,
On motion by Mr. Waterson,
Referred to the committee on judiciary and criminal jurisprudence.

The Council concurrent resolution, requiring the Public Printer to publish five hundred copies of the journals of each House, was taken up and read a first time, and,
On motion by Mr. Kirk,
The rule was suspended, and the resolution read a second time, and,
On motion by Mr. Waterson,
It was laid over.

The following Council bills were read a first time, and severally disposed of, as follows:

An act regulating conveyances.
On motion by Mr. Anderson,
The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act establishing a ferry at the town of Doniphan, in Kansas Territory.
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Marshall,
Referred to the committee on roads and highways.

An act concerning witnesses.
On motion by Mr. Anderson,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Marshall,
Referred to the committee on judiciary and criminal jurisprudence.

An act concerning the statutes and legislative proceedings.
On motion by Mr. Anderson,
The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

An act to establish the office of county treasurer.
On motion by Mr. Wade,

The rule was suspended, and the bill read a second time, and,
On motion by Mr. Weddle,
Referred to the committee on judiciary and criminal jurisprudence.

An act regulating proceedings in criminal cases.
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Kirk,
Referred to the committee on judiciary and criminal jurisprudence.

On motion by Mr. Anderson,
The House adjourned.

EVENING SESSSION.

The House met, pursuant to adjournment.

The roll of the House being called, there were:

Absent—Messrs. Blair, Croysdale, Harris, Houston, Kirk, Marshall. McMeekin, Payne, Waterson, Weddle, Whitlock, Mr. Speaker—12.
Absent on leave—Mr. Wilkinson.

The following House bills returned by the Council with amendments, were taken up, and the amendments of the Council concurred in.

An act for securing liens to mechanics and others.
The amendment was read a first time, and,
On motion by Mr. Johnson,
The rule was suspended, and the amendment read a second time, and,
On motion by Mr. Wade,
The rule was again suspended, and the amendment read a third time and agreed to.

An act for the incorporation of towns, and to prevent the circulation of town and city script.
Amendment was read a first time, and,
On motion by Mr. Johnson,
The rule was suspended, and the amendment read a second and third time and agreed to.

An act to license and tax peddlers.
Amendment was read a first time, and,
On motion by Mr. Wade,
The rule was suspended, and the amendment read a second and third time and agreed to.

An act concerning strays.
Amendment was read a first time, and,
On motion by Mr. Mathias,
The rule was suspended, and the amendment read a second time, and,
On motion by Mr. Wade,
The rule was again suspended, and the amendment read a third time and agreed to.

On motion by Mr. Mathias,
The House adjourned.

WEDNESDAY MORNING, August 8, 1855.

House met pursuant to adjournment.

Prayer by Rev. Mr. Peery.

The journal of yesterday was read and approved.

Mr. Kirk presented the petition of G. Sprague, Wm. C. Baker, Wm. C. Runington, B. S. Richards, and others, asking for a road to be established from Mount Vernon, on the Missouri river, to Calhoun, on the Kansas river.
On motion by Mr. Mathias,
The petition was referred to the committee on roads and highways.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled House bills of the following titles:

An act concerning arbitrations and awards.
An act respecting lost money and goods.
An act to incorporate the city of Kickapoo.
An act to incorporate the Lecompton Bridge Company.
An act to establish a road from Osawkee to Grasshopper Falls.
An act to view and mark out a road from Westport to Fort Leavenworth.
An act to establish a territorial road from St. Joseph, Missouri, to Marysville.

Mr. Kirk, from the committee on roads and highways, to whom was referred Council bill entitled
An act to declare a certain road a territorial road,
Reported the same back with the following amendment:
Correct the enacting clause by adding "of the Territory of Kansas, as follows:"
And as amended recommended its passage.
The report was agreed to.

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act to regulate the limitations of actions,

Reported the same back with the following amendment:

In section 5, after the word "years," at the end thereof, add the words, "after his term of office shall expire."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Hieskell,

The rule was suspended, and the amendment read a second time and agreed to, and the bill read a third time as amended and passed.

Mr. Waterson, from the committee on corporations, to whom was referred Council bill entitled

An act to incorporate the city of Pawnee,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and,

On motion by Mr. Mathias,

The bill was recommitted to the same committee.

Mr. Harris, chairman of the committee on roads and highways, to whom was referred House bill No. 73, entitled

An act to view and mark out a road from Black Jack Point, on the Santa Fe road, thence by the way of Joab M. Bernard's store to a point on the Santa Fe road at or near McGee's, on One Hundred and Ten creek,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and the bill laid over for the present.

Mr. Harris, chairman of the same committee, to whom was referred Council bill entitled

An act to incorporate a ferry at Whitehead, in Kansas Territory,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and the bill read a third time and passed.

Mr. Harris, chairman of the same committee, to whom was referred House bill No. 111, entitled

An act to establish a territorial road from Whitehead, to intersect the St. Joseph and Fort Riley road,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and the bill read a third time and passed.

Mr. Mathias introduced a bill entitled

An act to establish a territorial road from the town of Delaware, on the Missouri river, to the town of Calhoun, on the Kansas river.

Which was read a first time, and,

On motion by Mr. Mathias,

The rule was suspended, and the bill read a second time and referred to the committee on roads and highways.

Mr. Kirk introduced a bill entitled

An act to locate and establish a territorial road from the town of Mount Vernon, on the Missouri river, to the town of Calhoun, on the Kansas river.

Which was read a first time, and,

On motion by Mr. Kirk,

The rule was suspended, and the bill read a second time and referred to the committee on roads and highways.

Mr. Marshall presented the petition of Thomas Yates, James E. Bruce, E. C. Hollingsworth, W. H. Fox, and others, for a road to be established from the town of Delaware, on the Missouri river, to the town of Lawrence, on the Kansas river, and,

On motion,

The petition was referred to the committee on roads and highways.

On motion by Mr. Anderson,

The House bill No. 73, entitled

An act to view and mark out a road from Black Jack Point, on the Santa Fe road, thence by the way of Joab M. Bernard's store, to a point on the Santa Fe road at or near McGee's, on One Hundred and Ten creek,

Was taken up and read a third time, and,

On motion by Mr. Speaker Stringfellow, (Mr. Waterson in the Chair,)

The bill was recommitted, and referred to a select committee consisting of Messrs. Johnson, Anderson, and Younger.

Mr. McGee moved that the House adjourn.

Which was lost.

On motion by Mr. Waterson,

The committee to whom was referred the boundaries of the counties of Doniphan, Atchison, and Leavenworth were required to report.

On motion by Mr. Mathias,

The roll of the House was called.

Members absent—Messrs. Croysdale and Houston.

A quorum present.

On motion by Mr. Weddle,

The Sergeant-at-Arms was ordered to bring in Mr. Croysdale.

On leave, Mr. Johnson, chairman of the select committee to whom was referred House bill No. 73, entitled

An act to view and mark out a road from Black Jack Point on the Santa Fe road, thence by the way of Joab M. Bernard's store, to a point on the Santa Fe road at or near McGee's, on One Hundred and Ten creek,

Reported the same back with the following amendment:

Correct the enacting clause and make it in the usual form.

Amend section 1, by inserting after the words "Black Jack Point," "on the south side of Kansas river."

Amend sectian 5, by striking out the words "one hundred," and insert "seventy."

Amend section 6, by striking out the word "hereafter."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Anderson,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Johnson,
The rule was again suspended, and the amendment read a third time and agreed to, and the bill as amended passed.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to transmit to the House of Representatives the opinion of the Supreme Court, and of the Attorney General, A. J. Isacks, in relation to the removal of the Legislature to its present place of session, and the legality of its action at said place.

In pursuance of concurrent resolution, the Council with its officers arrived in the hall of the House.
The President of the Council took the chair, and announced the object for which the joint session had assembled.

Mr. Speaker Stringfellow, of the House, offered the following resolution, which was adopted:

Resolved, That we bind ourselves to support, in our separate sessions, that point for the permanent seat of government which may be selected by this joint session.

On motion by Mr. Speaker Stringfellow,
The vote was ordered to be taken *viva voce*, and each member allowed to vote for any point which he may desire, and that it shall require a majority of all the votes cast to declare any point the seat of government.

Nominations being in order,
Mr. Rees, of the Council, nominated Leavenworth.
Mr. Chapman, of the Council, nominated Lawrence.
Mr. Johnson, of the House, nominated St. Bernard.
Mr. Strickler, of the Council, nominated Tecumseh.
Mr. McGee, of the House, nominated One Hundred and Ten.
Mr. Harris, of the House, nominated Kickapoo.
Mr. Whitlock, of the House, nominated Lecompton.
Mr. Browne, of the House, nominated Douglas.
Mr. Richardson, of the Council, nominated Whitehead.

The roll of the two Houses being called, there appeared:

For Leavenworth, - - - - - -	6 votes.
For Lawrence, - - - - - -	2 votes.
For St. Bernard, - - - - - -	12 votes.
For Tecumseh, - - - - - -	3 votes.
For One Hundred and Ten, - - - - -	1 vote.
For Kickapoo, - - - - - -	2 votes.
For Lecompton, - - - - - -	9 votes.
For Douglas, - - - - - -	2 votes.
For Whitehead, - - - - - -	2 votes.

Whole number of votes cast, 38; necessary to a choice, 20.
The members of the House of Representatives voted as follows:

For Leavenworth—Messrs. Mathias, Payne, and McMeekin.
For Tecumseh—Mr. Croysdale.
For Lecompton—Messrs. Kirk, Marshall, Tebbs, Weddle, Whitlock, and Mr, Speaker—6.
For St. Bernard—Messrs. Anderson, Banks, Hieskell, Johnson, Scott, Williams, Wilkinson, Younger—8.
For Douglas—Messrs. Browne and Ward—2.
For One Hundred and Ten—Mr. McGee.
For Whitehead—Messrs. Blair and Waterson—2.
For Lawrence—Mr. Wade.
For Kickapoo—Mr. Harris.

No one place having received a majority of all the votes cast,
The House proceeded to a second ballot.
The vote of the two Houses being called, there appeared:

For Tecumseh,	5 votes.
For Lecompton,	19 votes.
For St. Bernard,	13 votes.
For Lawrence,	1 vote.

Whole number of votes cast, 38; necessary to a choice, 20.
The members of the House of Representatives voted as follows:

For Tecumseh—Mr. Croysdale.
For Lecompton—Messrs. Blair, Browne, Harris, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Tebbs, Ward, Weddle, Whitlock, and Mr. Speaker—14.
For St. Bernard—Messrs. Anderson, Banks, Hieskell, McGee, Scott, Wade. Waterson, Wilkinson, Williams, Younger—10.

No one place having received a majority of all the votes cast,
The House proceeded to a third ballot.
The roll of the two Houses being called, there appeared:

For Tecumseh,	2 votes.
For St. Bernard,	11 votes.
For Lecompton,	25 votes.

Whole number of votes cast, 38: necessary to a choice, 20.
The members of the House of Representatives voted as follows:

For St. Bernard—Messrs. Banks, Hieskell, McGee, Scott, Waterson, Wilkinson, Younger—7.
For Lecompton—Messrs. Anderson, Blair, Browne, Croysdale, Harris, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Tebbs, Wade, Ward, Weddle, Whitlock, Williams, Mr. Speaker—18.

Lecompton having received a majority of all the votes cast, was declared the place selected for the permanent seat of government of the Territory of Kansas.
On motion by Mr. Eastin,
The joint session was dissolved.

The Council and its officers having retired,
The House was called to order.

On motion by Mr. Anderson,
The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

On motion by Mr. Weddle,
The roll of the House was called.

Members absent—Messrs. Banks, Croysdale, Harris, Houston, Johnson, Payne, Whitlock, Wilkinson—8.

On motion by Mr. Anderson,
The opinion of the Supreme Court and District Attorney, taken up this morning, was read.
On motion by Mr. Anderson,
Five hundred copies of the written opinion were ordered to be printed for the use of the House.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to request the House of Representatives to have House bill herewith returned, entitled an act authorizing officers to call to their assistance the power of the county, engrossed.

The committee to whom was referred the boundaries of the counties of Doniphan, Atchison, and Leavenworth, made the following report:

MR. SPEAKER:

The committee consisting of the delegation north of the Kansas river, to whom was referred the settlement of the conflicting claims of the counties of Doniphan, Atchison, and Leavenworth, agreed upon the following resolution as a basis of operation.

Resolved, That the Territory north of Kansas river be divided into three equal parts, Indian reserves included, running each county back west from the Missouri river twenty-five miles, commencing at the most easterly point of each county, and beg leave to make the following report:

That the county of Doniphan shall be bounded as follows: Commencing at a point in the middle of the Missouri river, opposite the initial point of the line dividing the Territory of Kansas from the Territory of Nebraska, thence to the initial point, thence on the meridian line due south running through that point 24 miles, thence on a due east line to the middle of the Missouri river, thence up the middle of the same to the point of beginning.

2. The county of Atchison shall be bounded as follows: Commencing at the southeast corner of the county of Doniphan, thence west 25 miles, thence south 16 miles, thence east to the Missouri river, thence up said river to the place of beginning.

3. The county of Leavenworth shall be bounded as follows: Beginning at a point on the southern boundary of Atchison county, 16 miles from the most southern corner of said county, thence due south to the middle of the Kansas river, thence down the same to the middle of the Missouri river, hence up the middle of the Missouri river to the southeast corner of Atchison county, thence along the southern boundary of said county to the place of beginning.

Respectfully submitted. F. J. MARSHALL, *Chairman.*

The report was received.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed the following enrolled House bills:

An act to incorporate the city of Kickapoo.
An act to incorporate the Lecompton Bridge Company.
An act respecting lost money and goods.
An act to establish a territorial road from St. Joseph to Marysville.
An act to establish a road from Osawkee to Grasshopper Falls.
An act concerning arbitrators and awards.
An act to view and mark out a road from the eastern boundary line of the Territory of Kansas, near Westport, Jackson county, Missouri, a part of the way, and to declare a part of the road as the present road which now runs to Fort Leavenworth a territorial road.

On motion by Mr. Anderson,

The House resolved itself into committee of the whole, to take into consideration the bill defining the boundaries of the several counties of the Territory of Kansas.

Mr. Anderson in the Chair.

After some time spent in committee,

The committee rose, and through their chairman, Mr. Anderson, made the following report, which was agreed to:

MR. SPEAKER:

The committee of the whole House, to which was referred an act to define the boundaries of the several counties of the Territory of Kansas—also, resolution of committee in relation to sections 25, 26, and 27 of said bill, have had the same under consideration, and instruct me to report that they have made some progress therein, and ask leave to sit again.

On motion,

The House adjourned.

THURSDAY MORNING, August 9, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Kirk from the committee on roads and highways to whom was referred Council bill entitled

An act to incorporate a ferry in the Territory of Kansas opposite the town of Iatan, Missouri

Reported the same back with the following amendments:

In section 1, strike out "his," and insert "John Doniphan and their."

Sec. 3, strike out "or his," and and insert "and Doniphan and their."

In sec. 4, strike out "or his," and insert "and Doniphan or their."

In sec. 6, strike out "or his," and insert "and Doniphan or their."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Kirk,

The rule was suspended, and the amendment read a second time and

On motion by Mr. Weddle,

The bill and amendments were laid over.

Mr. Anderson, chairman of the committee on enrolled bills, made the following report:

Mr. Speaker:

The joint committee on enrolled bills beg leave to report the following bills being delivered to the Governor on August 8, at half past 5 oclock, P. M:

An act entitled an act to declare the road now leading from the California road near Wakefield to Lecompton, along the ridge between Snyder and Wm. Toddhunter's, and marked out by a double furrow, a public highway.

An act to declare the Santa Fe road a territorial road.

An act to establish a territorial road from a point opposite Westpoint, in Missouri, to Cofachiqui, *via* Ballard & Taylor's ford to the Catholic Mission.

An act to establish a territorial road from opposite Boston Missouri, to a point on the California road, at or near the Half-way Grove, in said Kansas Territory.

An act to grant to F. J. Marshall and Albert G. Woodward exclusive privilege to establish a ferry across the Big Blue river at the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road across the same river.

An act to provide for laying out and establishing a territorial road from the point where the Atchison Kickapoo and Leavenworth roads converge, *via* Osawkee and Tecumseh, to intersect the Santa Fe road at or near One Hundred and Ten.

An act to establish a territorial road from Leavenworth city to Osawkee, *via* Alexandria.

A bill entitled an act establishing territorial roads.

An act entitled an act to declare a certain road from the Shawnee Methodist Church South, to the town of Tecumseh, a territorial road.

An act to incorporate Leavenworth Lodge No. 150, of Ancient Free and Accepted Masons.

An act to establish a territorial road from the territorial line near Westport, Missouri, to Fort Scott in the Territory of Kansas.

An act concerning corporations.

An act to view and mark out a road from One Hundred and Ten *via* Glendale and the town of Douglas, to intersect the military road from Fort Leavworth to Fort Riley.

An act declaring certain roads public highways.

An act to establish a territorial road from a point opposite St. Joseph, Mo. to the Great Nemaha river.

Mr Kirk, from the committee on roads and highways to whom was referred House bill No. 112, entitled

An act to establish a territorial road from the town of Delaware on the Missouri river to the town of Calhoun, on the Kansas river, and also the petition for said road,

Reported the same back and recommended the passage of the bill.

The report was agreed to, and

The bill was read a third time and passed.

Mr. Kirk from the committee on roads and highways to whom was referred House bill No. 113, entitled

An act to locate and establish a territorial road from the town of Mount Vernon, on the Missouri river to the town of Calhoun on the Kansas river, and also the petition for the same,

Reported the same back without amendment.

And recommend its passage.

The report was agreed to, and

The bill read a third time and passed.

Mr. Younger from the committee on education to whom was referred House bill No. 100, entitled

An act to grant pre-emption to school lands in certain cases,

Reported the same back with the following amendment:

Amend by striking out the words "the sale of," at the end of the bill, and insert in lieu thereof the words "his official seal,"

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Anderson offered the following amendment, by way of rider:
"This act to take effect from and after the legal confirmation of the survey of the lands of this Territory."

Mr. Anderson moved a suspension of the rule, and that the amendment be read a second time,
Which was lost by the following vote,
The ayes and noes having been called for:

AYES.—Messrs. Anderson, Croysdale, Hieskell, Scott, Waterson, Weddle, Wade, Williams and Wilkinson—9.
NOES—Messrs. Banks, Blair, Harris, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Tebbs, Ward, Whitlock, Younger and Mr. Speaker—14.
ABSENT—Messrs. Browne, Houston and Johnson—3.

Mr. Anderson moved that the bill lay over,
Which was lost by the following vote,
The ayes and noes being demanded by Mr. Croysdale:

AYES.—Messrs. Anderson, Croysdale, Marshall, McGee, Scott, Wade, and Wilkinson—7.
NOES—Messrs. Banks, Blair, Harris, Hieskell, Kirk, Mathias, McMeekin. Payne, Tebbs, Ward, Waterson, Weddle, Whitlock, Williams, Younger and Mr. Speaker—16.
ABSENT—Messrs. Browne, Houston and Johnson—3.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has concurred in the amendments of the House to the following Council bills:

An act concerning the action of detinue.
An act concerning fraudulent conveyances.
An act respecting public administrators.
An act concerning attorneys at law.
An act for the speedy recovery of debts due on bonds and notes.
An act concerning descents and distributions.
An act concerning the action of replevin.
Also,
The following Council bill was introduced into and passed the Council:
An act concerning depositions.

Also,
That the following House bills have passed the Council:
An act to incorporate the Fort Scott Town Company.
An act to establish a territorial road from Atchison, via Mount Pleasant and Hickory Point, to a point on the Kansas river, opposite the town of Lecompton, Kansas Territory.
An act to incorporate the Wyandott Lyceum.

An act to view and mark out a territorial road from Doniphan city to Kelley's Ferry, on the Missouri river.

An act to establish a ferry across the Missouri river.

An act to locate a territorial road.

An act to establish a territorial road in the Territory of Kansas.

An act to declare a certain road a territorial road.

An act to establish a territorial road from Delaware, on the Missouri river, to Calhoun and other points.

An act to locate and establish a territorial road from the town of Atchison, to the town of Osawkee.

An act to establish a territorial road from Leavenworth city to Salem, in Kansas Territory.

An act regulating enclosures.

Also,

That the Council has refused to concur in the amendment of the House to the Council bill entitled

An act regulating the interest of money,

Also,

That the following bill has been introduced into the Council:

An act concerning the election of public printer.

The question recurring upon the bill entitled

An act to grant pre-emptions to school lands in certain cases,

Mr. Anderson moved to recommit the bill.

Mr. Weddle moved that the House adjourn.

Which was lost.

Mr. Anderson appealed from the decision of the chair.

The question being

Shall the chair be sustained?

The House refused to sustain the chair.

On motion by Mr. Anderson,

The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

The question recurring upon recommitting the House bill No. 100, entitled

An act to grant pre-emptions to school lands in certain cases.

Mr. Anderson called for the ayes and noes:

Ayes.—Messrs. Anderson, Browne, Croysdale, Hieskell, Marshall, Scott, Wade, Williams and Wilkinson—9.

Noes.—Messrs. Banks, Blair, Kirk, Mathias, McGee, McMeekin, Payne, Tebbs, Waterson, Weddle, Whitlock, Younger and Mr. Speaker—13.

Absent—Messrs. Harris, Houston Johnson and Ward—4.

So the motion was lost.

Mr. Anderson moved that the amendment offered this morning be taken up and read a second time.

Which was lost.

Mr. Wilkinson offered as a substitute, a bill of the following title:

An act to protect settlers on school lands,

Which was read a first time, and,

On motion by Mr. Speaker Stringfellow,

Mr. Waterson in the chair,

The substitute was laid on the table until the 3d day of September next.

Mr. Speaker Stringfellow called for the previous question,

Which was agreed to.

The bill then passed.

On motion by Mr. Speaker Stringfellow,

Mr. Waterson in the chair,

The vote passing the bill was reconsidered.

The question being on the passage of the bill,

It was passed by the following vote,

Mr. Wilkinson having demanded the ayes and noes:

Ayes.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Hieskell, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Younger, and Mr. Speaker—22.

No—Mr. Wilkinson.

Absent—Messrs. Harris, Houston and Johnson—3.

Mr. Hieskell, from the committee on enrolled bills, made the following report:

Mr. Speaker:

The joint committee on enrolled bills beg leave to report that at 4 o'clock P. M., Wednesday, August 8th, 1855, they placed in the hands of Governor A. H. Reeder, Council bills signed by the Speaker of the House of Representatives and President of the Council, of the following titles:

An act regulating oaths and prescribing the forms of oaths of office.
An act regulating weights and measures.
An act concerning contracts and promises.
An act to establish a ferry opposite St. Joseph, in the Territory of Kansas.
An act to declare a certain road a territorial road.

An act adopting the common law as the rule of action in this Territory.

An act supplemental to an act entitled an act to incorporate the city of Leavenworth.

An act regulating the authentication of statutes and the taking effect of laws.

An act for the organization of townships.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred

Council bill entitled

An act concerning boatmen,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill was read a third time and passed.

On motion by Mr. Payne,

The House resolved itself into a committee of the whole for the purpose of considering the bill defining the boundaries of the several counties of the Territory of Kansas.

Mr. Anderson in the chair.

After some time spent in committee,

On motion by Mr. Waterson,

The committee rose, and through their chairman, Mr. Anderson, made the following report,

Which was agreed to:

MR. SPEAKER:

The committee of the whole House, to whom was referred House bill entitled

An act to define the boundaries of the several counties in the Territory of Kansas,

Have had the same under consideration, and beg leave to report that they have made some progress therein, and recommend that the bill be recommitted to the House, with instructions to incorporate into the bill the amendment adopted in committee of the whole.

JOSEPH C. ANDERSON, *Chairman.*

On motion by Mr. Anderson,

The bill was ordered to be engrossed.

On motion,

The House adjourned.

FRIDAY, MORNING, AUGUST 10, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Kirk, from the committee on roads and highways, to whom was referred House bill No. 107, entitled

An act to locate and establish a territorial road from a point on the old California road, on the west side of Little Wakarusa, to Matthew Rule's, on the Big Wakarusa creek,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled

An act to regulate contracts and promises,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following concurrent resolution has passed the Council:

Resolved, By the Council, the House of Representatives concurring therein, that a select committee is hereby appointed to report what course should be adopted by both Houses for the form of enrolled bills, which committee shall consist of one member of the Council and two of the House of Representatives.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act respecting executors and administrators,

Reported the same back with the following amendment:

In the enacting clause, strike out the words "Kansas Territory," and insert the words "the Territory of Kansas."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Kirk, from the committee on roads and highways, to whom was referred Council bill entitled

An act to establish a territorial road from Iowa Point to Engatah, on the Arkansas river,

Reported the same back with the following amendment:

Amend by striking out sections 4, 5, and 6, entirely.

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Kirk,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time.

Mr. Weddle moved that the bill be recommitted.

Which was lost.

Mr. Weddle offered the following amendment by way of rider:

Amend by striking out that portion of the bill referring to the road leading from Iowa Point to Tecumseh.

On motion by Mr. Kirk,

The amendment was rejected.

On motion by Mr. Browne,

The bill was referred to a select committee consisting of Messrs. Younger, Croysdale, and Blair.

The committee on judiciary and criminal jurisprudence made the following report:

Mr. Speaker:

The committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled "An act to punish persons decoying slaves from their masters," have had the same under consideration, and beg leave to report the same and recommend its rejection. But also beg leave to report a substitute therefor of the following title: "An act to punish offenses against slave property;" and recommend its passage.

The committee were led to this course, not because the general provisions of the Council bill were obnoxious, but because the alterations proposed could not be made so well as by substituting another, as the alterations and amendments were numerous. The provisions in the Council bill are embraced in the substitute.

WM. G. MATHIAS, *Chairman.*
JOS. C. ANDERSON.
S. A. WILLIAMS.
F. J. MARSHALL.

The report was agreed to, and,

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Banks,

The rule was again suspended, and the bill considered as engrossed, read a third time and passed by the following vote,

The ayes and noes having been demanded by Mr. Anderson:

Ayes—Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, Mr. Speaker—24.

Absent—Messrs. Croysdale and Houston—2.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has concurred in the amendments of the House to Council bills entitled

An act concerning coroners.

An act concerning costs.

An act concerning fraudulent conveyances.

An act defining the duties of justices of the peace, in cases of breach of the peace.

An act concerning bonds and notes.

Also,

That the Council has passed the following Council bill:

An act concerning the election of Public Printer.

Also,

The following House bills, amended:

An act to incorporate the Atchison Town Company.

An act concerning debtors and their securities.

The House substitute to Council bill entitled

An act to prevent the firing of woods, marshes, and prairies.

Also,

That Mr. Coffey has been appointed as Council committee on the joint committee for examining and reporting forms of enrolled bills.

Also,

That the following bill has been introduced into the Council:

An act to establish a ferry at the town of Palermo, in Kansas Territory:

On motion by Mr. Anderson,

It was ordered that bills to be printed shall first be handed to the chairman of the committee on public printing, and that they shall be returned to him before returned to the House, and that he shall superintend all printing which may be ordered by the House.

On motion by Mr. Wilkinson,

The House bill No. 110, entitled

An act to exempt homesteads and certain other property from execution,

Was taken up.

Mr. Wilkinson offered the following amendment:

Amend section 1, in line 2: Add, after words "taxes and costs of action at law," "provided said costs do not exceed one hundred and fifty dollars."

Mr. Wilkinson moved to suspend the rule, and that the amendment be read a second time.

Which was lost.

Mr. Speaker Stringfellow (Mr. Waterson in the chair) offered the following amendments:

In section 1, by striking out all after the word "lot," in the third line.

In sec. 4, and third line, strike out the word "whether" and "first or," and in sixth line strike out all after the word "sum up," and before "five hundred dollars."

In section 5, after the word "apparel," insert "and working tools."

On motion by Mr. Weddle,

The rules were suspended, the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

The following bills were introduced and severally disposed of, as follows:

By Mr. Wade:

An act to authorize the repayment of taxes improperly paid.
Which was read a first time, and,
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and referred to the committee on judiciary and criminal jurisprudence.

By Mr. Younger:

An act to prevent obstructions across the Big Sugar creek.
Which was read a first time, and,
On motion by Mr. Kirk,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Anderson,
Referred to the committee on roads and highways.

By Mr. Scott:

An act to establish a ferry across the Marideceyne river, at or near Martin Taylor's ford.
On motion by Mr. Kirk,
The rule was suspended, and the resolution read a second time, and,
On motion by Mr. Weddle,
Referred to the committee on roads and highways.

By Mr. Kirk:

An act to locate and establish a territorial road from the town of Atchison to the town of Iola, in the Territory of Kansas.
Which was read a first time, and,
On motion by Mr. Younger,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Wade,
Referred to the committee on roads and highways.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act concerning the statutes and legislative proceedings,
Reported the same back with the following amendments:
Strike out the words "section 1," prefixed to the enacting clause, and prefix the same words, namely, "section 1," to the first line next succeeding the enacting clause.
In section 1, division 4, strike out the word "and" in the fourth line, where it immediately preceeds the word "county," and insert the word "and" immediately after the word "county" in the same line.
In division 12 of 1st section, after the word "town" in the first line, insert "or towns;" and in the second line, before the word "cities," insert the words "city or."
In section 4, after the word "in," in 8th line, insert the word "sheepskin;"

after the word "of," in the 9th line, insert the word "twelve;" and after the word "the," in the 11th line, insert the words "twenty-fifth;" and after the word "of," in the same line, insert the word "September."

In section 11, strike out the words "masters in chancery."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Anderson,

The rule was suspended, and the amendments read a second time and agreed to, and the bill read a third time as amended and passed.

Mr. McMeekin moved that the House adjourn.

On motion by Mr. Speaker Stringfellow, (Mr. Waterson in the chair,)

The engrossing clerk was required to engross immediately the bill entitled

An act to define the boundaries of the several counties of the Territory of Kansas.

Mr. Kirk moved that the House adjourn.

Mr. McMeekin moved as a substitute that the House adjourn to Monday next.

The Chair decided it out of order.

Mr. McMeekin appealed from the decision of the Chair.

The question being, shall the Chair be sustained?

The House sustained the Chair.

The question recurring upon the motion of Mr. Kirk,

The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

On motion by Mr. Marshall,

The roll of the House was called.

Members absent—Messrs. Anderson, Croysdale, Houston, Johnson, Kirk, Mathias, Payne, Wade, Wilkinson—9.

Absent on leave—Mr. Ward.

A quorum present.

Mr. Weddle moved that the House adjourn until Monday next.

Which was lost.

Mr. Waterson moved that the House adjourn until to-morrow morning at the usual hour.

Which was lost by the following vote,

The ayes and noes having been demanded:

AYES—Messrs. Browne, Harris, Scott, and Waterson—4.

NOES—Messrs. Banks, Blair, Hieskell, Kirk, Marshall, McGee, McMeekin, Tebbs, Weddle, Whitlock, Williams, Younger, and Mr. Speaker—13.

Absent—Messrs. Anderson, Croysdale, Houston, Johnson, Mathias, Payne, Wade, Ward, and Wilkinson—9.

The Council concurrent resolution for the purpose of examining and adopting some form for enrolled bills, was taken up and read a first time, and the rule suspended and the resolution read a second time.

Mr. Anderson moved to lay the resolution on the table.

Which was lost.

The resolution was then adopted.

The Chair appointed Messrs. McMeekin and Anderson as the House committee on said resolution.

The Council bill entitled

An act concerning depositions.

Was taken up, read a first time, and,

On motion by Mr. Weddle,

The rule was suspended, and the bill read a second time, and referred to the committee on judiciary.

On motion by Mr. Williams,

The Council bill entitled

An act regulating the interest of money,

Was taken up, and,

On motion by Mr. Anderson,

The House insisted upon the House amendment, to which the Council had refused to concur, by the following vote,

Mr. Wilkinson having demanded the ayes and noes:

AYES—Messrs. Anderson, Blair, Browne, Hieskell, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Tebbs, Waterson, Weddle, Whitlock, Williams, Mr. Speaker—16.

NOES—Messrs. Banks, Wilkinson, and Younger—3.

Absent—Messrs. Croysdale, Harris, Houston, Johnson, Payne, Wade, Ward—7.

Mr. Marshall introduced a bill entitled

An act to incorporate the Lecompton Town Company.

Which was read a first time, and the rule suspended and the bill read a second time, and,

On motion by Mr. McGee,

Referred to the committee on corporations.

The Council bill entitled

An act concerning the election of Public Printer,

Was taken up and read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Wilkinson,

Referred to the committee on public printing.

Mr. Anderson moved that the House adjourn.
Which was lost.

On motion by Mr. Whitlock,
The House adjourned until Monday morning, by the following vote,
The ayes and noes having been demanded by Mr. Kirk:

AYES—Messrs. Anderson, Blair, Browne, Hieskell, McMeekin, Scott, Tebbs, Weddle, Whitlock, Younger—10.
NOES—Messrs. Banks, Kirk, Marshall, Mathias, McGee, Waterson, Williams, Wilkinson, Mr. Speaker—9.

So the House adjourned.

MONDAY MORNING, AUGUST 13, 1855.

House met pursuant to adjournment.

Prayer by Rev. Mr. Peery.

The journal of Friday last was read and approved.

Mr. Kirk, from the committee on roads and highways, to whom was referred House bill No. 117, entitled
An act to establish a fery across the Maridecyne river at Taylor & Ballard's Ford.
Reported the same back without amendment.
And recommended its passage.
The report was agreed to, and
The bill read a third time and passed.

Mr. Harris, chairman of the same committee, to whom was referred also the Council bill entitled
An act to establish a ferry at the town of Doniphan, on the Missouri river,
Reported the same back with the following amendment:
In the enacting clause, strike out the words "Kansas Territory," and insert the words "the Territory of Kansas."
In section 4, strike out the words "Kansas Territory," and insert "the Territory of Kansas."
And as amended recommended its passage.
The report was agreed to, and
On motion by Mr. Weddle,
The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended read a third time and passed.

Mr. Harris, chairman of the committee on roads and highways, to whom was referred House bill No. 118, entitled
An act to locate and establish a territorial road from the town of Atchison to the town of Iola, in the Territory of Kansas,
Reported the same back and recommended the passage of the bill.
The report was agreed to, and
The bill was read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act designating the pay of certain officers,
Reported the same back with the following amendment:
In section 1, strike out the word "fifteen" and insert "ten."
And as amended recommended its passage.
The report was agreed to, and
On motion by Mr. Weddle,
The rules were suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Waterson, from the committee on corporations, to whom was referred House bill No. 119, entitled
An act to incorporate the Lecompton Town Company,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and,
The bill read a third time and passed,
The rule requiring the ayes and noes having been suspended.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act concerning perpetuating testimony,
Reported the same back with the following amendment:
In section 6, at the end thereof, add, "Provided said notice is given in one of the newspapers of the county where the suit is pending, or if there is no newspaper printed in the said county, then in that newspaper nearest where the party for whose benefit the testimony is taken, resides,"
And as amended recommended its passage.
The report was agreed to, and
On motion by Mr. Kirk,
The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred House bill No. 47, entitled
An act respecting vagrants,
Reported the same back with the following amendments:

Correct the enacting clause so as to make it in the approved form.
In section 8, strike out the word "heretofore," and after the word "directed," in the same section, insert the words "by this act,"
And as amended recommended its passage.
The report was agreed to.
On motion by Mr. McMeekin,
The rule was suspended, and the amendment read a second time and agreed to.
And the bill as amended, was read a third time and passed.

Mr. Mathias, chairman of the same committee to whom also was referred Council bill entitled

An act giving meaning to the word State,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and the bill read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom also was referred Council bill entitled

An act to establish the office of county treasurer,

Reported the same back with the following amendment:

Correct the enacting clause and make it in the usual form.

And as amended, recommended its passage.

The report was agreed to, and

On motion by Mr. Mathias,

The rule was again suspended, and the amendment read a second time and agreed to,

And the bill read a third time.

Mr. Harris offered the following amendment by way of rider:

Amend by inserting "the county treasurer shall be elected by the people, and hold his office for two years."

On motion by Mr. Marshall,

The bill and amendment was re-committed to the same committee.

Mr. Wilkinson from the committee on engrossed bills reported as truly engrossed,

House bill No. 99, entitled

An act to define the boundaries of the several counties of the Territory of Kansas.

Mr. Mathias, Chairman of the committee on judiciary and criminal jurisprudence to whom was referred Council bill entitled

An act regulating the granting of injunctions,

Reported the same back with the following amendments:

Strike out in the enacting clause, the words "Kansas Territory," and insert the words "the Territory of Kansas."

In section 3, insert after the words "District Court," the words "or other court having jurisdiction thereof," and after the word "county," insert the words "or district."

In section 4, between the words "the county," in the fifth line, insert "or District."

In section 9, after the word "court," in the second line insert "or probate court," and after the word "county," in same line insert the words "or district," and after the word "court," in the fifth line, insert the words "or probate court," and after the word "county," in the sixth line, insert the words "or district."

In article 2, in section 5, after the word "covenant," in the second line, strike out the words "a title."

And as amended recommended its passage.

The report was agreed to and

On motion by Mr. McMeekin,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended, read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled

An act to incorporate the city of Pawnee,

Reported the same back with the following amendment,

Amend section 1, by inserting in the sixth line, and between the word "town" and letter "a," the following: "Provided the limits and boundaries of said city of Pawnee shall not contain more than one thousand acres of land."

Amend further, by inserting after the words "1856," and before "and," in the second section, the words "said election to be by ballot, and to be conducted by three judges, to be appointed by the tribunal transacting county business for the county in which said city of Pawnee is situated. Said judges to take and subscribe an oath faithfully to perform their duties, and they shall have power to appoint a clerk or clerks, and shall be governed by the law regulating elections,

And recommend its passage as amended.

The report was agreed to, and

On motion by Mr. Waterson,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

The introduction of bills being in order, the following bills were read a first time and severally disposed of as follows:

By Mr. Marshall,

An act to incorporate the Delaware Town Company.

By Mr. McMeekin,

An act to incorporate the Kansas University.

On motion by Mr. Marshall,

The rule was suspended, and the bill read a second time and referred to the committee on corporations.

By Mr. Mathias,

An act to establish a ferry at the town of Delaware.

On motion by Mr. McMeekin,

The rule was suspended, and the bill read a second time, and,

Referred to the committee on corporations.

By Mr. Marshall,

An act regulating ferries in the Territory of Kansas.

On motion by Mr. Marshall,

The rule was suspended, and the bill read a second time, and,

Referred to the committee on corporations.

By Mr. Scott,

An act concerning free negroes and mulattoes,

On motion by Mr. Whitlock,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Marshall,

Referred to a select committee consisting of Messrs. Marshall, Scott and Anderson.

By Mr. Marshall,

An act to charter a ferry across the Missouri river at the town of Palermo.

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time, and
Referred to the committee on roads and highways.

The third reading of bills being in order, the following bill was read and disposed of as follows:

An act to define the boundaries of the several counties of the Territory of Kansas.

On motion by Mr. Whitlock,

The bill was read a third time and adopted by sections.

Mr. Wilkinson offered the following amendment by way of rider:

Amend the first, second, third, fourth and fifth sections in such manner that the width of the counties mentioned in said sections, shall not exceed the distance of twenty miles east and west, and that the distance thus cut off from said counties, shall be added to the tier of counties lying immediately west of the counties mentioned in said sections.

On motion by Mr. Whitlock,

The amendment was rejected.

Mr. Weddle offered the following amendment by way of rider:

Amend by striking out section 26, and insert the following:

Section 26. The county of Atchison shall be bounded as follows: commencing at the south-east corner of the county of Doniphan, thence down the main channel of the Missouri river to the head of Cow Island, thence west twenty-four miles, thence north to the southwest corner of the county of Doniphan, thence east to the place of beginning.

The amendment was read a first time, and

On motion by Mr. Kirk,

The amendment was rejected by the following vote,

The ayes and noes being demanded by Mr. Harris:

AYES.—Messrs. Banks, Blair, Browne, Croysdale, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Waterson, Whitlock, Williams and Mr. Speaker—15.

NOES—Messrs. Harris, Tebbs, Weddle and Wilkinson—4.

ABSENT—Messrs. Anderson, Hieskell, Houston, Payne, Wade, and Younger—6.

ABSENT ON LEAVE—Mr. Ward.

Mr. Speaker Stringfellow, (Mr. Waterson in the Chair,)

Call for the previous question.

The question being, Shall the main question be put?

It was decided by the following vote,

The ayes and noes having been called for by Mr. Weddle:

AYES—Messrs. Banks, Blair, Browne, Croysdale, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Tebbs, Waterson, Whitlock, Williams, Wilkinson and Mr. Speaker—17.

NOES—Messrs. Harris and Weddle—2.

ABSENT—Messrs. Anderson, Hieskell, Houston, Payne, Wade, and Younger—6.

ABSENT ON LEAVE—Mr. Ward.

The 26th section was then passed by the following vote:

Mr. Harris having demanded the ayes and noes:

Ayes—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Johnson. Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Tebbs, Waterson, Williams, Wilkinson and Mr. Speaker—17.
Noes—Messrs. Harris and Weddle—2.
Absent—Messrs. Hieskell, Houston, Payne, Wade, Whitlock, and Younger—6.
Absent on leave—Mr. Ward.

On motion by Mr. Johnson,
The vote passing the 25th section was reconsidered.

The question then being upon the passage of the 25th section.
It was adopted by the following vote,
Mr. Harris having demanded the ayes and noes:

Ayes—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Johnson, Kirk Marshall, Mathias, McGee, McMeekin, Scott, Tebbs, Waterson, Whitlock, Williams, Wilkinson and Mr. Speaker—18.
Noes—Messrs. Horris and Weddle—2.
Absent—Messrs. Hieskell, Houston, Payne, Wade and Younger—5.
Absent on leave—Mr. Ward.

The question then being upon section 27th,
It was adopted by the following vote,
Mr. Harris having demanded the ayes and noes:

Ayes—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Tebbs, Waterson, Whitlock, Williams, Wilkinson and Mr. Speaker—18.
Noes—Messrs. Harris and Weddle.
Absent—Messrs. Hieskell, Houston, Payne, Wade and Younger—5.
Absent on leave—Mr. Ward.

Mr. Wilkinson offered the following amendment to section 35:
Strike out the words "Baptiste Peoria," and leave the blank to be filled by the people.
The amendment was read a first time, and,
Mr. Wilkinson moved the suspension of the rules, and that the amendment be read a second time,
Which was lost by the following vote:
The ayes and noes having been demanded by Mr. Wilkinson:

Ayes—Messrs. Browne, Croysdale, Harris, Mathias, McGee, Waterson, Weddle and Wilkinson—8.
Noes—Messrs. Anderson, Banks, Blair, Johnson, Kirk, Marshall, McMeekin, Scott, Tebbs, Whitlock, Williams and Mr. Speaker—12.
Absent—Messrs. Hieskell, Houston, Payne, Wade and Younger—5.
Absent on leave—Mr. Ward.

Mr. McGee offered the following amendment to section 35:
Strike out Tecumseh, and insert One Hundred and Ten, as the county seat of Shawnee county.
Amendment was read a first time, and,

On motion by Mr. Croysdale,
The amendment was rejected.

Mr. McGee also offered the following amendment to same section:

Strike out the first clause of section 35, and insert as follows:

That the county seat of Shawnee county shall be located by the commissioners, to be appointed by the tribunal transacting county business, said county seat to be located within five miles of the geographical centre of the county.

Which was read a first time, and,
On motion by Mr. Croysdale,
Was rejected.

Mr. Whitlock moved that the House adjourn.
Which was lost.

Section 35 was then adopted.

Mr. Waterson offered the following amendment, by way of rider, to section 36:

Strike out all that part relating particularly to the county of Doniphan.

Which was read a first time.

Mr. Anderson offered the following as a substitute for section 36:

SEC. 36. All counties not having permanent seats of justice located as in the preceding section, such seats of justice shall be temporarily located by the court transacting county business, and the inhabitants of said counties shall, under the direction of the court transacting county business, at the first election for delegate to Congress, proceed to elect three commissioners, who shall proceed to locate said permanent seats of justice for said counties, and make their report to said court, within three months after said election, and the places so selected shall be the permanent seats of justice for said counties. Said commissioners so elected shall receive three dollars per day for the time they may be necessarily engaged in locating seats of justice, to be paid by the county.

Which was read a first time.

Mr. Anderson, chairman of the committee on enrolled bills, made the following report:

MR. SPEAKER:

The committee on enrolled bills have examined the following bills, and found them truly enrolled:

An act entitled an act to locate and establish a territorial road from Atchison to Osawkee.

An act concerning marriage contracts.

An act to establish a territorial road from Atchison to Pawnee, by the way of Grasshopper Falls, in the Territory of Kansas.

An act for securing liens to mechanics and others.

An act to incorporate the Fort Scott Company.

An act to establish a territorial road from Leavenworth City to Salem, on the Santa Fe road, in Kansas Territory.

A bill entitled an act to prevent trespass on the possessions of settlers on the public lands.

An act to establish a ferry across the Missouri river, opposite Boston.

An act entitled an act to establish a territorial road from Atchison, *via* Mount Pleasant and Hickory Point, to a point on the Kansas river opposite Lecompton.

An act for the incorporation of towns, and to prevent the circulation of town and city script.

An act to locate a territorial road.

An act to declare a certain road a territorial road.

An act regulating enclosures.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to Indianola, in Kansas Territory.

An act to establish a territorial road from Delaware, on the Missouri river, to Calhoun, and other points.

An act to incorporate the Atchison Town Company.

An act concerning strays.

An act to lay out and establish a territorial road from the California road near Ferrill's, to Batiste Peoria.

An act to incorporate the Wyandott Lyceum.

An act to license and tax peddlers.

An act granting to Lewis Trombly exclusive right to a bridge across the Vermillion branch of the Big Blue river, at the crossing of the Independence and California road.

A bill entitled an act to authorize Thomas N. Stinson to establish a ferry across the Kansas river, at Tecumseh.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that Council bills of the following titles have been passed by the Council:

An act regulating ferries.

A bill to incorporate the Kansas Central Railroad Company.

An act to incorporate the Cofachiqui Town Association.

An act to incorporate the Doniphan Town Company.

An act supplemental to an act entitled an act to incorporate the city of Kickapoo.

An act to regulate wills.

An act to provide for the support of the poor.

Also,

That the Council has passed House bills of the following titles:

An act for a territorial road from the town of Atchison to the town of Marysville.

An act to establish a road from Kickapoo to Money creek, in the Territory of Kansas.

An act to locate a territorial road.

An act to provide for the location of territorial roads in the Territory of Kansas.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to Fort Riley, in the Territory of Kansas.

An act authorising officers to call to their assistance the power of the county.

An act to locate and establish a territorial road from the town of Mount Vernon, on the Missouri river, to the town of Calhoun, on the Kansas river.

An act to establish a territorial road from a point above Franklin, on the

California road, via the Lake and Kansas river, then to the town of Lecompton, Kansas Territory.

A bill to establish a ferry at Lewis's Point, in Kansas Territory.

Also,

That the Council has concurred in the House amendment to Council bill entitled

An act to declare a certain road a territorial road.

On motion by Mr. Weddle,

The House adjourned.

EVENING SESSION.

The House met, pursuant to adjournment.

The question recurring upon the substitute of Mr. Anderson to sec. 36 of the bill entitled

An act to define the boundaries of the several counties of the Territory of Kansas.

On motion by Mr. Harris,

The rule was suspended, and the substitute read a second time, and,

On motion by Mr. Waterson,

The rule was again suspended, and the substitute read a third time and agreed to.

On motion by Mr. Johnson,

The vote passing section 35 was reconsidered.

Mr. Kirk offered the following amendment by way of rider to section 35

The town of Lecompton shall be the permanent seat of justice of Douglas county.

Which was read a first time.

Mr. Browne offered the following as a substitute to the amendment:

That George T. Kezer, John B. Nichols, and Paris Ellison are hereby appointed commissioners to locate the permanent seat of justice in and for Douglas county.

Which was read a first time.

On motion by Mr. Marshall,

The substitute was rejected by the following vote,

Mr. Browne having demanded the ayes and noes:

AYES—Messrs. Anderson, Banks, Cregsdale, Harris, Kirk, Marshall, Mathias, McMeekin, Payne, Waterson, Weddle, Williams, Mr. Speaker—13.

NOES—Messrs. Blair, Browne, Johnson, McGee, Scott, Tebbs, Whitlock, Wilkinson, Younger—9.

Absent—Messrs. Hieskell, Houston, and Wade—3.

Absent on leave—Mr. Ward.

Mr. Banks offered the following amendment to section 35:

Amend by making the town of Salem the county seat for the county of Douglas.

Which was read a first time, and,

On motion by Mr. Weddle,

Was rejected by the following vote,

The ayes and noes having been demanded:

Ayes—Messrs. Anderson, Croysdale, Harris, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Weddle, Whitlock, Williams, Younger, Mr. Speaker—15.

Noes—Messrs. Banks, Blair, Browne, Johnson, McGee, Waterson, Wilkinson—7.

Absent—Messrs. Hieskell, Houston, and Wade—3.

Absent on leave—Mr. Ward.

Mr. Whitlock offered the following amendment to sec. 35:

Amend by inserting St. Nicholas as the county seat of Douglas county.

Which was read a first time.

Mr. Johnson moved that the rules be suspended, and the amendment read a second time.

Which was lost.

Mr. Anderson called for the previous question.

The question then being upon the passage of the amendment offered by Mr. Kirk,

It was adopted by the following vote,

Mr. McGee having demanded the ayes and noes:

Ayes—Messrs. Anderson, Blair, Browne, Croysdale, Harris, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Waterson, Weddle, Williams, Younger, Mr. Speaker—17.

Noes—Messrs. Banks, Johnson, McGee, Whitlock, Wilkinson—5.

Absent—Messrs. Hieskell, Houston, and Wade—3.

Absent on leave—Mr. Ward.

Mr. Scott offered the following amendment by way of rider to sec. 36:

Provided, that the commissioners so appointed shall locate the county seat of Linn county within three miles of the geographical centre of said county.

Which was read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the amendment read a second and third time, and agreed to.

Mr. McMeekin offered the following amendment by way of rider to section 36:

Provided, that nothing herein contained shall be construed to apply to the county of Leavenworth; but the qualified voters of said county of Leavenworth, at the next election for delegate to Congress, shall, at the time they vote for such delegate, also vote for a place, *viva voce*, where the seat of justice for said county of Leavenworth shall be located, and a majority of all the votes polled at said election shall be necessary to a choice of place, and if no place is selected at said election, the tribunal transacting county business shall order another election for that purpose, within three weeks thereafter.

Which was read a first time,

Mr. Whitlock offered the following amendment to section 36:

Amend by inserting the town of Leavenworth as the permanent seat of justice for the county of Leavenworth.

Which was read a first time, and,

On motion by Mr. Harris,

The amendment was rejected.

Mr. McMeekin moved that the rules be suspended, and his amendment read a second time.

The rule requiring a two-thirds vote to suspend,

It was lost by the following vote,

Mr. Harris having demanded the ayes and noes:

Ayes—Messrs. Blair, Browne, Johnson, Marshall, Mathias, McMeekin, Payne, Scott, Waterson, Whitlock, Wilkinson, Younger—12.

Noes—Messrs. Croysdale, Harris, Kirk, McGee, Tebbs, Weddle, Williams, Mr. Speaker—8.

Absent—Messrs. Anderson, Banks, Hieskell, Houston, Wade—5.

Absent on leave—Mr. Ward.

The question then recurring upon the adoption of the 35th section,

It was adopted by the following vote,

Mr. Mathias having demanded the ayes and noes:

Ayes—Messrs. Anderson, Blair, Browne, Croysdale, Harris, Kirk, Marshall, Scott, Tebbs, Waterson, Weddle, Williams, Younger, Mr. Speaker—14.

Noes—Messrs. Banks, Johnson, Mathias, McGee, McMeekin, Payne, Whitlock, Wilkinson—8.

Absent—Messrs. Hieskell, Houston, and Wade—3.

Absent on leave—Mr. Ward.

Mr. Johnson introduced a bill entitled

An act to establish a ferry at the mouth of the Kansas river, across said river.

Which was read a first time, and,

On motion by Mr. Harris,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Mathias,

Referred to the committee on judiciary and criminal jurisprudence.

Mr. Anderson introduced a bill entitled

An act concerning jurors.

Which was read a first time.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled House bills of the following titles:

An act to view and mark out a road from Doniphan City to Kelly's ferry, on the Missouri river.

An act to establish a territorial road from Leavenworth City to Indianola, in the Territory of Kansas.

An act regulating marriages.

On motion by Mr. McGee,

The House adjourned.

TUESDAY MORNING, August 14, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

On leave, Mr. Speaker Stringfellow (Mr. Anderson in the chair) introduced a bill entitled

An act to provide for a convention.

Which was read a first time, and,

On his further motion,

The rule was suspended, and the bill read a second time, and referred to a select committee consisting of Messrs. Marshall, Anderson, and Mathias.

On motion by Mr. Weddle,

Leave of absence was granted to Mr. Scott for this morning.

Mr. McMeekin announced the absence of Mr. Mathias, from sickness.

Mr. Anderson, chairman of the committee on engrossed bills, reported as truly engrossed House bill No. 109, entitled

An act to regulate elections.

Mr. Younger, chairman of the select committee, to whom was referred Council bill entitled

An act establishing a territorial road from the town of Iowa Point to Engatah, on the Arkansas river,

Reported the same back without amendment, and recommended its passage

The report was agreed to, and the bill read a third time.

The question being upon the passage of the bill,

Mr. Wilkinson called for the ayes and noes,

Which resulted as follows:

Ayes—Messrs. Banks, Blair, Croysdale, Harris, Kirk, McMeekin, Tebbs. Waterson, Williams, Younger, Mr. Speaker—11.

Noes—Messrs. Browne, Johnson, Marshall, Payne, Wade, Weddle, Whitlock, Wilkinson—8.

Absent—Messrs. Hieskell, Houston, and McGee—3.

Absent on leave—Messrs. Scott and Ward—2.

Sick—Mr. Mathias.

Mr. Anderson was excused from voting.

So the bill passed.

Mr. Speaker Stringfellow (Mr. Waterson in the chair) moved a reconsideration of the vote.

Which was agreed to.

The question being upon the passage of the bill,

Mr. Whitlock called for the ayes and noes.

Mr. Speaker Stringfellow asked to be excused from voting.

Which was not agreed to.

Mr. Wilkinson moved that Mr. Anderson be required to vote.
The Chair decided the motion out of order.
Mr. Speaker Stringfellow (Mr. Waterson in the chair) appealed from the decision of the Chair.
The question being,
Shall the Chair be sustained?
The House refused to sustain the decision of the Chair.
Mr. Harris moved that Mr. Anderson be excused from voting.
Which was lost by the following vote,
Mr. Anderson having demanded the ayes and noes:

Ayes—Messrs. Browne, Croysdale, Harris, Kirk, Marshall, McMeekin, Tebbs, Waterson, Williams, Mr. Speaker—10.
Noes—Messrs. Banks, Blair, Johnson, McGee, Payne, Wade, Weddle, Whitlock, Wilkinson, Younger—10.
Absent—Messrs. Hieskell and Houston—2.
Absent on leave—Messrs. Scott and Ward—2.
Sick—Mr. Mathias.

The vote then being upon the passage of the bill,
It resulted as follows:

Ayes—Messrs. Banks, Blair, Croysdale, Harris, Johnson, Kirk, McGee. Payne, Tebbs, Wade, Waterson, Williams, Younger—13.
Noes—Messrs. Anderson, Browne, Marshall, McMeekin, Weddle, Whitlock, Wilkinson, Mr. Speaker—8.
Absent—Messrs. Hieskell and Houston—2.
Absent on leave—Messrs. Scott and Ward—2.
Sick—Mr. Mathias.

So the bill passed.

On motion by Mr. Anderson,
The bill entitled
An act to regulate elections,
Was taken up, and,
On motion by Mr. Blair,
The bill was ordered to be read and adopted by sections.

On motion by Mr. Browne,
Mr. G. W. McKown, reporter for the New York Herald and St. Louis Republican, was admitted to a seat within the hall of the House.

Mr. Waterson moved that the 4th section of the bill be recommitted to a select committee.
Which was lost, by the following vote,
Mr. Waterson having called for the ayes and noes:

Ayes—Messrs. Banks, Blair, Kirk, McGee, Waterson, Wilkinson, Younger—7.
Noes—Messrs. Anderson, Browne, Johnson, Marshall, McMeekin, Tebbs, Wade, Weddle, Whitlock, Williams, Mr. Speaker—11.
Absent—Messrs. Croysdale, Harris, Hieskell, Houston, and Payne—5.
Absent on leave—Messrs. Scott and Ward—2.
Sick—Mr. Mathias.

Mr. Whitlock offered the following amendment to section 4:

Amend the 4th section by adding:

Provided, that the election for the county of Douglas shall be held at St. Nicholas.

Which was read a first time

Mr. McGee moved that the rules be suspended, and the amendment read a second time.

The rule requiring a two-thirds vote to suspend,

The motion was lost; by the following vote,

Mr. Whitlock having demanded the ayes and noes:

Ayes—Messrs. Banks, Blair, Browne, Johnson, McGee, McMeekin, Wade, Waterson, Whitlock, Mr. Speaker—10.

Noes—Messrs. Anderson, Croysdale, Harris, Kirk, Marshall, Tebbs, Weddle, Williams, and Younger—9.

Absent—Messrs. Hieskell, Houston, and Payne—3.

Absent on leave—Messrs. Scott and Ward—2.

Sick—Mr. Mathias.

Mr. Wilkinson was excused from voting.

The question then recurring upon the passage of section 4,

It was passed by the following vote,

Mr. Blair having called for the ayes and noes:

Ayes.—Messrs. Anderson, Browne, Croysdale, Harris, Johnson, Kirk, Marshall, McMeekin, Payne, Tebbs, Waterson, Weddle, Williams, Younger, Mr. Speaker—15.

Noes.—Messrs. Banks, Blair, McGee, Wade, Whitlock, Wilkinson—6.

Absent—Messrs. Hieskell and Houston—2.

Absent on leave—Messrs. Scott and Ward—2.

Sick—Mr. Mathias.

Mr. Speaker Stringfellow (Mr. Waterson in the chair) offered the following amendment by way of rider to sec. 5:

The county commissioners shall appoint the judges of election in each county or voting precinct, at least ten days before the election of which they are to act, and if at the hour for the opening of the polls such judges are not present, then the voters assembled shall have power to fill the vacancy or vacancies thus occasioned.

Which was read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the amendments read a second time and agreed to, and the section as amended was adopted.

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the following bills have been introduced into the Council:

An act to locate the seat of government.

An act to view and mark out a road from Kickapoo, through Salt creek valley, to Leavenworth.

An act to incorporate the Leavenworth and Lecompton Railroad Company.

An act concerning escheats.

An act relative to fugitives from other States.

An act to provide for the partition of land and personal property.

An act to license and tax merchants.

An act to provide for the collection of revenue.

Also,

That the following bills have passed the Council:

An act to organize the county of Arapahoe.

An act admitting certain Indians to rights of citizenship.

An act regulating the action of ejectment.

Also,

That the House amendment to the following Council bill has been concurred in by the Council:

An act to establish a territorial road.

Also,

The following enrolled House bills have been signed by the President of the Council:

An act entitled an act to locate and establish a territorial road from Atchison to Osawkee.

An act concerning marriage contracts.

An act to establish a territorial road from Atchison to Pawnee, by the way of Grasshopper Falls, in the Territory of Kansas.

An act for securing liens to mechanics and others.

An act to incorporate the Fort Scott Town Company.

An act to establish a territorial road from Leavenworth city to Salem, on the Santa Fe road, in Kansas Territory.

A bill entitled an act to prevent trespass on the possessions of settlers on the public lands.

An act to establish a ferry across the Missouri river, opposite Boston.

An act entitled an act to establish a territorial road from Atchison, *via* Mount Pleasant and Hickory Point, to a point on the Kansas river, opposite Lecompton.

An act for the incorporation of towns, and to prevent the circulation of town and city script.

An act to locate a territorial road.

An act to declare a certain road a territorial road.

An act regulating inclosures.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to Indianola, in Kansas Territory.

An act to establish a territorial road from Delaware, on the Missouri river, to Calhoun and other points.

An act to incorporate the Atchison Town Company.

An act concerning strays.

An act to establish a territorial road from the California road, near Ferrill's, to Batiste Peoria.

An act to incorporate the Wyandot Lyceum.

An act to license and tax peddlers.

An act granting to Lewis Trombly the exclusive right to a bridge across the Vermillion branch of the Big Blue river, at the crossing of the Independence and California road.

A bill entitled an act to authorize Thomas N. Stinson to establish a ferry across the Kansas river, at the town of Tecumseh.

An act to view and mark out a territorial road from Doniphan city to Kelley's Ferry, on the Missouri river.

An act to establish a territorial road from Leavenworth city to Indianola, in the Territory of Kansas.

An act regulating marriages.

On motion by Mr. Speaker Stringfellow,

Mr. Waterson in the chair,

The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

The question then recurring upon the bill entitled

An act to regulate elections,

The bill was passed.

Mr. Johnson presented the petition of George McDougal, Graham Rogers, Captain Blackhoof, William Rogers, and others, praying the passage of a law prohibiting the manufacturing and sale of intoxicating liquors.

On motion by Mr. Johnson,

The petition was referred to the same committee to whom was referred a bill of a similar character, of which Mr. McMeekin is chairman.

Mr. Waterson, chairman of the committee on corporations, to whom was referred House bill No. 122, entitled

An act to establish a ferry at the town of Delaware,

Reported the same back with the following amendments:

Amend the enacting clause by adding after the word "Territory" the words "of Kansas."

Amend section 6, by striking out the word "their" in the second line.

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

On motion by Mr. Browne,

The vote passing Council bill entitled

An act designating the pay of certain officers,

Was reconsidered, and,

On his further motion,

The vote agreeing to House amendment to the bill was reconsidered.

On motion by Mr. McGee,

The amendment was rejected.

The bill was then passed.

Mr. Browne introduced a bill entitled
An act to provide for paying the clerks of the Legislative Assembly of the Territory of Kansas.
Which was read a first time.

On motion by Mr. Anderson,
The bill entitled
An act to provide for a convention,
Was taken up and ordered to be engrossed.

The second reading of bills being in order,
The following House bills were read a second time, and severally disposed of, as follows:

An act to incorporate the Delaware Town Company.
On motion by Mr. Weddle,
Referred to the committee on corporations.

An act concerning jurors.

The reading of Council bills being in order,
The following bills were read a first time and severally disposed of, as follows:

An act regulating ferries.
On motion by Mr. Kirk,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on corporations.

An act admitting certain Indians to the rights of citizenship.
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and
Referred to the committee on elections.

A bill to incorporate the Kansas Central Railroad Company.
On motion by Mr. Kirk,
The rule was suspended, and the resolution read a second time, and,
On motion by Mr. Wade,
Referred to the committee on corporations.

An act to regulate wills.
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Johnson,
Referred to the committee on judiciary and criminal jurisprudence.

An act supplemental to an act entitled an act to incorporate the city of Kickapoo.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Wade,
Referred to the committee on corporations.

An act to incorporate the Doniphan Town Company.
On motion by Mr. Wade,

The rule was suspended, and the bill read a second time, and,
On motion by Mr. Wilkinson,
Referred to the committee on corporations.

An act incorporating the Cofachiqui Association.
On motion by Mr. Williams,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Johnson,
Referred to the committee on corporations.

An act to provide for the support of the poor.
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Waterson,
Referred to the committee on finance.

An act regulating the action of ejectment.

Message from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following House bill has passed the Council, with amendment:
An act to incorporate the Lecompton Town Company.

Mr. Anderson, from the committee on judiciary and criminal jurisprudence, to whom was referred House bill entitled
An act to establish a ferry at the mouth of the Kansas river, across said river,
Reported the same back without amendment, and recommended its passage.
The report was agrerd to, and
The bill read a third time and passed.

Mr. Kirk, from the committee on roads and highways, to whom was referred House bill entitled
An act to establish a ferry across the Missouri river, at the town of Palermo,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.

On motion by Mr. Waterson,
The House bill entitled
An act to incorporate the Lecompton Town Company,
Was taken up, and,
On motion by Mr. Anderson,
The rule was suspended, and the Council amendment read a second time, and,
On motion by Mr. Anderson,
The rule was again suspended, and the amendment read a third time and agreed to.

An act concerning debtors and their securities.
On motion by Mr. Anderson,

The rule was suspended, and the Council amendment read a second time.
On motion by Mr. Wade,
The rule was again suspended, and the amendment read a third time, and agreed to.

An act to prevent the firing of woods, marshes, and prairies.
On motion by Mr. Anderson,
The Council amendment was disagreed to.

Mr. Croysdale, on leave, introduced a bill entitled
An act to authorize and establish the Lecompton Medical University.
Which was read a first time, and,
On motion by Mr. Anderson,
The rule was suspended, and the bill read a second time, and referred to a select committee, consisting of the physicians of the House.

On motion by Mr. Anderson,
The House bill No. 129, entitled
An act to provide for paying the clerks of the Legislative Assembly of the Territory of Kansas,
Was taken up, and the bill read a second time, and,
On motion by Mr. Anderson,
The rule was suspended, and the bill read a third time, and passed.

On motion by Mr. McMeekin,
The House adjourned.

WEDNESDAY MORNING, August 15, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Reports from standing committees being in order,
The following reports were made;

By the committee on judiciary and criminal jurisprudence.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act to restrain intercourse with the Indians,
Reported the same back with the following amendments:

In the enacting clause, strike out the words "Kansas Territory," and insert the words "the Territory of Kansas."

At the end of section 6, as amended, add: Nothing in this section contained, shall be construed to prevent the transportation of spirituous liquors and wines across, over and through this Territory, by traders or others, provided that such traders and others do not sell, barter, or give or offer any such liquor or wine to any Indian or Indians, within the boundaries of this Territory.

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Wade,

The rules were suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act concerning evidence.

Reported the same back with the following amendment:

In section 4, strike out the words "county courts."

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred Council bill entitled

An act to establish Justices' Courts,

Reported the same back with the following amendments:

Correct the enacting clause so as to make it in the approved form.

In article 1, section 4, strike out in the second line thereof, the word "five," and insert the word "four."

In section 6, strike out all between the words "first" and "secondly," and insert as follows:

"They shall be conservators of the peace," and strike out the said word "secondly" and insert the word "second."

In section 9, after the word "Territory," in the fourth line, insert the words "except the district courts."

In article 2, strike out in the third line, the word "are," and insert the word "or."

In article 3, section 2, strike out the word "at," in the fifth line from the end thereof.

In section 15, after the word "be," and before the word "brought," insert the words "served or."

In section 17, after the word "cause," in the second line insert the word "is."

In section 19, after the word "application," in the fifth line, insert the word "shall."

In section 21, strike out the word "is," in the third line, and insert "are," and strike out the word "peace," in the 4th line and insert the word "place."

In section 25, between the words "put" and "at," in the 20th line, insert the word "up."

Strike out the words and figures "section 29," and where the words "sec. 20," occurs, strike them out and insert the words and figures "sec. 29," and where the words "sec. 31" occurs, strike them out also, and insert the words "sec 30," and where the words "sec. 32" occurs, strike them out, and insert the words "sec. 31," and where the words "sec. 33" occurs, strike them out, and insert the words "sec. 32," and where "sec. 34" occurs, strike out and insert "sec. 33."

In section 32, thus numbered, add the at the end thereof, the words "thus shown."

In article 4, section 4, insert after the word "applied," in the 2nd line, the word "for."

In section 6, strike out all after the word "within," in the 6th line, and insert as follows:

"The time hereinbefore limited for the granting of appeals, provided the party desiring to appeal shall apply for the same within ten days after such successor shall have been qualified, and the time between the death of such said Justice and the qualification of his successor shall not be computed."

In sec. 8, after the word "cause," in the 3d line, insert the word "and."

In sec. 11, before the word "interest," in the 12th line, insert "lawful," and after the said word "interest," insert the word "therein," and strike out all thereafter, in said section.

Document A, accompanying the bill, purporting to be a list of amendments to the said bill, seems to have no connection with the bill, as the amendments thereby proposed, seems to have been inserted in the bill as it originally came into the hands of the committee.

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Weddle,

The rule was suspended, and the amendment read a second time and agreed to.

And the bill as amended, was read a third time and passed.

Mr. Harris, chairman of the same committee, to whom was referred also the Council bill entitled

An act for opening and repairing roads and highways,

Reported the same back with the following amendment:

Strike out sections 77 and 78 entirely.

And as amended, recommended its passage.

The report was agreed to, and

On motion by Mr. Mathias,

The rule was again suspended, and the amendment read a second time and agreed to,

And the bill as amended read a third time and passed.

Mr. Mathias, Chairman of the committee on judiciary and criminal jurisprudence to whom was referred Council bill entitled

An act regulating conveyances,

Reported the same back with the following amendments:

In section 51, strike out in the fourth line thereof, the wo[illegible]State," and insert the word "Territory."

And as amended recommended its passage.

The report was agreed to and

On motion by Mr. Weddle,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended read a third time and passed.

Mr. Waterson, from the committee on corporations, to whom was referred Council bill entitled

An act regulating ferries,

Reported the same back with the following amendments:

Add to section 2, Provided that license shall not be granted to any ferry within the limits granted to any ferry previously by legislative enactment.

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended, read a third time and passed.

On leave, Mr Speaker Stringfellow, Mr. Anderson in the chair, introduced a bill entitled

An act to incorporate the Atchison Bank of Kansas Territory,

Which was read a first time, and,

On motion by Mr. Speaker,

The rule was suspended, and the bill read a second time, and,

Referred to the committee on corporations.

On motion by Mr. Speaker Stringfellow,

The vote referring said bill was reconsidered.

The motion referring the bill was then withdrawn.

On motion by Mr. Wilkinson,

The bill was considered engrossed, and fifty copies ordered to be printed

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled

An act supplemental to an act to incorporate the town of Kickapoo,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and,

The bill read a third time and passed,

The rule requiring the ayes and noes having been suspended.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act concerning depositions,

Reported the same back without amendment.

And recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred House bill No. 121, entitled

An act to incorporate the Kansas University,

Reported the same back with the following amendment:

After the name of "John W. Forman," in the 2d section, insert the names of "John H. Stringfellow, Thomas W. Waterson and John Martin,"

Amend section 7, by striking out all the first part of said section, inclusive of the word "Trustees," and insert the following: "The Trustees shall fill all vacancies that may occur in their board,"

And as amended recommended its passage.

The report was agreed to, and,

On motion by Mr. Wade,

The rules were suspended, the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 108, entitled

An act to prevent non-residents from grazing stock in Kansas Territory,

Reported the same back with the following amendment:

In sec. 3, strike out in 4th line after the words "mules," the word "fifty," and insert the words "twenty-five."

And recommend its passage as amended.

The report was agreed to, and

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled

An act to incorporate the Cofachiqui Association,

Reported the same back and recommended the passage of the bill.

The report was agreed to, and

The bill was read a third time and passed.

The rules requiring the ayes and noes,

On motion by Mr. Anderson, having been suspended.

Mr. Anderson, chairman of the committee on engrossed bills, reported as truly enrolled House bill No. 128, entitled

An act to provide for a convention.

On motion by Mr. Anderson,

The bill was referred to a select committee, consisting of Messrs. Anderson, Marshall and Browne.

Mr. Anderson, chairman of the committee on enrolled bills, made the following report:

Mr. Speaker:

The joint committee on enrolled bills beg leave to report that at 5 o'clock P. M., on yesterday, the following enrolled bills were presented to the Governor for his signature.

An act entitled an act to incorporate the Lecompton Bridge Company.

An act respecting lost money and goods.

An act to establish a territorial road from a point opposite St. Joseph, to Marysville.

An act to establish a road from Osawkee to Grasshopper Falls.

An act to view and mark out a road from the eastern boundary line of the Territory of Kansas, near Westport, Jackson county, Missouri, a part of the way, and to declare a part of the way as the present road which now runs to Fort Leavenworth, a territorial road.

An act concerning arbitrations and awards.

An act to incorporate the city of Kickapoo.

An act to view and mark out a territorial road from from city to Kelley's ferry, on the Missouri river.

An act to establish a territorial road from Leavenworth city to Indianola in the Territory of Kansas.

An act regulating marriages.

An act entitled an act to locate and establish a territorial road from Atchison to Osawkee.

An act concerning marriage contracts.

An act to establish a territorial road from Atchison to Pawnee, by the way of Grasshopper Falls, in the Territory of Kansas.

An act for securing liens to mechanics and others.

An act to incorporate the Fort Scott Company.

An act to establish a territorial road from Leavenworth city to Salem, on the Santa Fe road, in Kansas Territory.

A bill entitled an act to prevent trespass on the possessions of settlers on the public lands.

An act to establish a ferry across the Missouri river, opposite Boston.

An act entitled an act to establish a territorial road from Atchison *via* Mount Pleasant and Hickory Point, to a point on the Kansas river, opposite Lecompton.

An act for the incorporation of towns, and to prevent the circulation of town and city script.

An act to locate a territorial road.

An act to declare a certain road a territorial road.

An act regulating enclosures.

An act to locate and establish a territorial road from a point opposite St. Joseph, Mo., to Indianola, in Kansas Territory.

An act to establish a territorial road from Delaware, on the Missouri river, to Calhoun and other points.

An act to incorporate the Atchison Town Company.

An act concerning strays.

An act to lay off and establish a territorial road from the California road, near Ferrill's, to Batiste Peoria.

An act to incorporate the Wyandott Lyceum.

An act to license and tax peddlers.

An act granting to Lewis Trombly exclusive right to a bridge across the Vermillion branch of the Big Blue river, at the crossing of the Independence and California road.

A bill entitled an act to authorize Thomas N. Stinson to establish a ferry across the Kansas river at Tecumseh.

JOSEPH C. ANDERSON,
Chairman of House Committee.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the following House bills:

An act to establish a territorial road from the town of Delaware, on the Missouri river.

An act to locate and establish a territorial road from the town of Atchison to the town of Iola, in the Territory of Kansas.

An act to view and mark out a road from Black Jack Point, on the Santa Fe road, thence by the way of Joab M. Bernard's store to a point on the Santa Fe road at or near McGee's, on One Hundred and Ten creek.

An act to locate and establish a territorial road from a point on the old California road, on the west side of Little Wakarusa, to Matthew Rule's, on the Big Wakarusa creek.

An act to establish a ferry across the Maridecyne river at Taylor & Ballard's Ford.

Also,

The following House bills amended:

An act to establish a territorial road from Whitehead, to intersect the St. Joseph and Fort Riley road.

Also that the following Council bills have passed the Council:

An act establishing a ferry at the town of Doniphan in Kansas Territory.

An act to provide for the partition of land and personal property.

An act to regulate proceedings upon writs of mandamus.

An act to incorporate the Leavenworth and Lecompton Railroad Company.

An act relative to fugitives from other States.

An act to incorporate the Engatah Association.

An act to incorporate the Occidental Telegraph Company.

An act to incorporate a ferry at the town of Palermo, in the Territory of Kansas.

An act concerning escheats.

An act regulating the writ of *ad quod damnum.*

An act to establish a territorial road from the city of Kickapoo, through the valley of Salt creek, to the city of Leavenworth.

An act to license and tax merchants.

An act to establish a Territorial Road, from Wyandott to Osawkee.

Also, that,

The following bills have been introduced into the Council:

An act for the punishment of certain crimes and offences, and for the protection of slave property.

An act concerning jails and jailors.

An act concerning writs of *qro warranto.*

An act regulating proceedings on the writ of *habeas corpus.*

An act to enable persons held in slavery to sue for their freedom.

An act concerning dower.

An act concerning guardians and curators.

An act relative to insane persons.

An act to incorporate the Alexandria Coal Mining Company.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence to whom was referred Council bill entitled

An act concerning witnesses,

Reported the same back with the following amendments:

In section 4, insert the words "Sheriff or other," immediately after the word "the" in the 6th line thereof.

In section 5, insert the words "Sheriff or other," immediately after the word "the" in second line thereof.

And strike out whole and entire the amendment to section 21.

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the same committee to whom was referred Council bill entitled

An act regulating the practice in courts of chancery,

Reported the same back with the following amendments:

In section 2, after the "county" in the second line, insert the words "or Judicial District."

In section 3, after the word "the" in the first line, insert the words "or district."

In section 4, after the word "county," insert the words "or district."

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended, read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred Council bill entitled

An act act concerning the office of county surveyor,

Reported the same back with the following amendments:

In section 2, after the word "oath," in the fourth line, insert the word "of."

In section 3, after the word "President," in the fourth line, insert the words "of such tribunal," and after the word "clerk," in the fifth line, insert the word "thereof."

Strike out after the 3d section, all the words and figures where they occur, purporting to be the numbers of the sections, and insert the words and figures following, viz:

Sec. 4, sec. 5, sec. 6, sec. 7, sec. 8, sec. 9, sec. 10, sec. 11, sec. 12, sec. 13, sec. 14, sec. 15, sec. 16, sec. 17, sec. 18, sec. 19.

In section 13, thus numbered, after the word "dollar," in first line, insert the words "and fifty cents."

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Williams,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred Council bill entitled.

An act to establish the office of countyrecorder,

Reported the same back with the following amendments:

In the enacting clause, strike out the words "Kansas Territory," and insert "the Territory of Kansas."

In section 13, strike out the word "the," in the third line immediately preceding the word "writing," and insert the word "other," and in the same section, in the fourth line from the end thereof, strike out the words "was delivered," which last occur in said line.

And as amended recommeded its passage.
The report was agreed to, and
On motion by Mr. Mathias,
The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Kirk introduced a bill entitled
An act to locate and establish a territorial road from Lewis' Point, on the Missouri river, to a point on the Grasshopper creek.
Which was read a first time.

Mr. Wilkinson moved that the bill be rejected,
Which was lost by the following vote,
The ayes and noes having been demanded by Mr. Kirk:

AYES—Messrs. Anderson, Harris, Weddle, Wilkinson and Younger—5.
NOES—Messrs. Blair, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Waterson, Whitlock and Williams—14.
Absent—Messrs. Browne, Croysdale, Houston, Hieskell and Mr. Speaker—5.
Absent on leave—Mr. Ward.
Mr. Banks was excused from voting.

Mr. Marshall, chairman of the select committee to whom was referred Council bill entitled
An act to organize the county of Arapahoe,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.

Mr. Marshall introduced a bill entitled
An act to incorporate the Kansas Mining Company,
Which was read a first time, and
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and
Referred to the committee on corporations.

Mr. Wade introduced a bill entitled
An act concerning field notes of public surveys,
Which was read a first time, and,

On motion by Mr. Wade,
The rule was suspended and the bill read a second time, and

On motion by Mr. Anderson,
The bill was ordered to be engrossed.

Mr. Wade moved that the House adjourn.
Which was lost.

The Council bill entitled
An act concerning the statutes and legislative proceedings,
Was taken up and the Council amendment read a first time, and
On motion by Mr. Anderson,

The rule was suspended, and the amendment read a second and third time and agreed to.

And the bill as amended passed.

On motion by Mr. Anderson,

The House bill No. 111, entitled

An act to establish a territorial road from Whitehead, to intersect the St. Joseph and Fort Riley road,

Was taken up, and the Council amendment read a first time, and,

On motion by Mr. Kirk,

The rule was suspended and the amendment read a second time, and,

On motion by Mr. Wade,

The rule was again suspended, and the amendment read a third time and agreed to, and the bill as amended passed.

The House bill No. 127, entitled

An act concerning jurors,

Was read a third time and passed.

The reading of Council bills being in order, the following bill was read a second time and disposed of as follows:

An act regulating the action of ejectment, was,

On motion by Anderson,

Referred to the committee on judiciary and criminal jurisprudence.

Read a first time,

An act to provide for the partition of land and personal property,

On motion by Mr. Kirk,

The rule was suspended and the bill read a second time, and,

On motion by Mr. Anderson,

Referred to the committee on judiciary and criminal jurisprudence.

Message from the Council by Mr. Donaldson, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that a bill of the following title has passed the Council;

An act to locate the seat of government.

On motion by Mr. Mathias,

The bill just read from the Council, was taken up, read a first time, and

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second and third time, and passed by the following vote,

Mr. Anderson having demanded the ayes and noes:

AYES—Messrs. Anderson, Banks, Blair, Harris, Johnson, Kirk, [illegible] McMeekin, Payne, Tebbs, Wade, Waterson, Weddle, Whitlock, Williams and Younger—16.

NOES—Messrs. McGee, Scott and Wilkinson—3.

ABSENT—Messrs. Browne, Croysdale, Hieskell, Houston, Marshall, and Mr. Speaker—6.

ABSET ON LEAVE—Mr. Ward.

On motion by Mr. Whitlock,
The House adjourned until 9 o'clock to-morrow morning, by the following vote,

Mr. Kirk having demanded the ayes and noes;

AYES.—Messrs. Banks, Harris, Mathias, McMeekin, Payne, Tebbs, Wade, Weddle, Whitlock and Younger.—10.
NOES—Messrs. Anderson, Blair, Johnson, Kirk, McGee, Scott, Waterson, Williams and Wilkinson—9.
ABSENT—Messrs. Browne, Croysdale, Hieskell, Houston, Marshall, and Mr. Speaker—6.
ABSENT ON LEAVE—Mr. Ward

So the House adjourned.

THURSDAY MORNING, August 16, 1855.

House met pursuant to adjournment.

Prayer by Rev. Mr. Peery.

The journal of Friday last was read and approved.

On motion by Mr. Blair,
Leave of absence was granted to Mr. Scott until to-morrow morning.

Reports from standing committees being in order,
Mr. Waterson, chairman of the committee on corporations, to whom was referred House bill No. 120, entitled
An act to incorporate the Delaware Town Company,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.
The rule requiring the ayes and noes having been suspended.

Mr. Waterson, chairman of the same committee, to whom was referred House bill No. 123, entitled
An act regulating ferries in the Territory of Kansas,
Reported the same back and recommended its rejection.
The report was agreed to, and the bill rejected.

Mr. Wilkinson, from the committee on finance, to whom was referred Council bill entitled

An act to provide for the support of the poor,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled
An act to incorporate the Doniphan Town Company,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.
The rule requiring the ayes and noes, on motion by Mr. Marshall, having been suspended.

Mr. Harris, chairman of the committee on roads and highways, to whom was referred House bill entitled
An act to prevent obstructions across the Big Sugar creek,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.

Mr. Kirk, from the committee on roads and highways, to whom was referred House bill entitled
An act concerning commissioners, surveyors, and chain carriers of roasd and highways,
Reported the same back and recommended its rejection.
The report was agreed to, and the bill rejected.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act to establish the office of county treasurer, with the amendment,
Reported the same back with the following amendments:
In section 2, strike out the words "for five years," and insert "until the election for members of the Legislative Assembly in the year eighteen hundred and fifty-seven, when his successor shall be elected by the qualified voters of the county."
And strike out the word "appointed," in the last line of said section, and insert at the end thereof, "and the persons thus elected, and every person thereafter elected to the office of county treasurer, shall be thus chosen, and shall hold his office for the term of two years, or until his successor is duly qualified."
And as amended recommended its passage.
Tbe report was agreed to, and,
On motion by Mr. Wade,
The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred Council bill entitled
An act regulating wills,
Reported the same back, with the following amendments:
Strike out section 14 entirely, and insert the words following, to-wit:
SEC. 14. The probate court shall take proof of last wills and testaments, and the clerks of said courts in vacation shall also take proof of last wills

and testaments, subject however, to the confirmation or rejection of said courts.

In section 15, strike out the word "State," in seventh line, and insert the word "Territory."

In section 16, after the word "the" in the first line, insert the word "said," and after the word "clerk," in second line, insert the word "thereof."

In section 26, strike out the words "by the clerk of the county court," in first and second lines, and insert in lieu thereof the words "in the office of the county recorder."

In section 27, strike out the word "county," and insert the word "probate."

In section 51, strike out the word "county," and insert the word "probate."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Williams,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Message from the Council by Mr. Haldorman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that bills of the following titles have been introduced into the Council:

An act defining the punishment for crimes affecting property public and private.

An act defining the punishment of crimes affecting the administration of justice.

An act defining the punishment of offenses affecting the public trust.

An act defining the punishment of offenses against public morals and decency.

An act in relation to the general provisions regarding crimes and punishments.

An act defining the punishment of offenses affecting the securing of persons and property.

Also,

That the Council has passed the following Council bill:

A bill to incorporate the Historical and Philosophical Society of Kansas.

An act concerning landlord and tenant.

An act to declare a road leading from Gerard's old crossing, on the Big Osage river, by way of Kleitone, to the mouth of Salt fork of the Arkansas river.

An act to regulate executions.

An act relative to insane persons.

An act to enable persons held in slavery to sue for their freedom.

An act to incorporate a University at Fort Scott, in Kansas Territory.

An act concerning guardians and curators.

An act regulating writs and process.

An act to declare a road leading from Fort Scott to the Missouri State line, at or near Phillips' crossing on the upper Dogwood.

An act concerning writs of *quo warranto*.

An act concerning crimes and the punishment of offenses against the persons of individuals.

An act to remove public records.

An act concerning mortgages.

An act regulating proceedings on the writ of *habeas corpus.*
An act to incorporate the Alexandria Coal Mining Company.
An act concerning jails and jailers.
An act to declare a certain road a territorial road.
An act concerning salvage.
An act regulating judgments and decrees.
An act concerning dower.
An act to establish the seat of government.

Also,

That the House amendments to the following Council bills have been concurred in:

An act concerning perpetuating testimony.
An act regulating the granting of injunctions.
An act to incorporate the city of Lawrence.
An act to establish a ferry at the town of Doniphan, in Kansas Territory.
An act establishing a territorial road from the town of Iowa Point to Engatah, on the Arkansas river.

Also,

That the following House bills have passed:

An act respecting vagrants.
An act appropriating certain funds for the support of common schools, with amendment by the Council.
An act to establish a ferry at the mouth of the Kansas river, across said river.
An act to establish a ferry at the town of Delaware.

The following House bills were introduced:

By Mr. Waterson:

An act for the establishment of common schools,
Was read a first time, and,
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Johnson,
Referred to the committee on education.

By the same:

An act concerning roads,
Was read a first time, and,
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Kirk,
Referred to the committee on roads and highways.

By the same:

An act supplemental to an act entitled an act to establish a territorial road from a point opposite Boston, Missouri, to a point on the California road, at or near the Half-way Grove, in the Territory of Kansas,
Was read a first time, and,
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and
Referred to the committee on roads and highways.

The following House bill was read a second time:

An act to locate and establish a territorial road from Lewis's Point, on the Missouri river, to a point on the Grasshopper creek.
On motion by Mr. Wade,
Referred to the committee on roads and highways.

The reading of bills and other business lying on the table being in order,
The Council bill entitled
An act to incorporte a ferry in the Territory of Kansas, opposite the town of Iatan, Missouri, with the amendments of the House,
Was taken up, and,
On motion by Mr. Kirk,
The amendment was rejected, and
The bill was then read a third time and passed.

The Council concurrent resolution relating to printing 500 copies of the journals of each House,
Was taken up.
Mr, Waterson offered the following amendment:
Add as an amendment, "And that the commissioners appointed to superintend the printing of the laws, shall superintend the printing of the same, said journals to be printed after the manner of the Missouri journals.
Which was read a first time, and,
On motion by Mr. Anderson,
The rule was suspended, and the amendments read a second time and agreed to, and the resolution as amended was adopted.

Mr. Anderson offered the following resolution, which was read and adopted:

Resolved, By the House of Representatives of the Territory of Kansas, that no new bill should be introduced in this House after Thursday, the 23d inst.

Message from the Council by Mr. Donaldson, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that a bill of the following title has been passed by the Council:
An act to establish a probate court, with the powers and duties of a board of commissioners, and to define its jurisdiction.

On motion by Mr. Anderson,
The bill just read from the Council was taken up and read a first time.
On motion by Mr. Williams,
The rule was suspended, and the bill read a second time, and
Referred to the committee on judiciary and criminal jurisprudence.

The following message was received from Governor A. H. Reeder, by Mr. Lowry, his Private Secretary:

To the Honorable the members of the Council and the House of Representatives of the Territory of Kansas:

GENTLEMEN: Although in my message to your bodies, under date of the

21st inst., I stated that I was unable to convince myself of the legality of your session at this place, for reasons then given, and although that opinion still remains unchanged, yet, inasmuch as my reasons were not satisfactory to you, and the bills passed by your Houses have been up to this time sent to me for approval, it is proper that I should inform you that after your adjournment of yesterday, I received official notification that my functions as Governor of the Territory of Kansas were terminated. No successor having arrived, Secretary Woodson will of course perform the duties of the office, as acting Governor.
A. H. REEDER.

SHAWNEE MANUAL LABOR SCHOOL, August 16, 1855.

Mr. Tebbs introduced a bill entitled

An act to provide for the erection of the Capitol and other public buildings.

Which was read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. McGee,

Referred to a select committee, consisting of Messrs. Tebbs, Marshall, Anderson, Waterson, and McGee.

The reading of Council bills being in order,

The following bills were read a first time and severally disposed of, as follows:

An act to incorporate the Engatah Association.

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time, and,

Referred to the committee on corporations.

An act to incorporate the Occidental Telegraph Company.

On motion by Mr. Weddle,

The rule was suspended, and the bill read a second time, and,

Referred to the committee on corporations.

An act concerning escheats.

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time, and,

Referred to the committee on judiciary and criminal jurisprudence.

On motion by Mr. Mathias,

The House adjourned.

EVENING SESSION.

The House met, pursuant to adjournment.

On motion by Mr. Kirk,
The roll was called.

Members absent—Messrs. Banks, Blair, Croysdale, Harris, Hieskell, Houston, Johnson, McGee, Payne, Wade, Weddle, Whitlock, Wilkinson, Younger—14.

Absent on leave—Messrs. Scott and Ward—2.

A quorum not present.
Mr. Kirk moved that the Sergeant-at-Arms be sent after absent members.
Which was lost.

The House having adjourned until a quorum was present,
Was then called to order.

Council bills on first reading being the order of business,
The following bills were read a first time, and severally disposed of, as follows:

An act regulating the writ of *ad quod damnum.*
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Wilkinson,
The rule was again suspended, and the bill read a third time, and passed.

An act to license and tax merchants.
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Wilkinson,
Referred to the committee on finance.

An act to establish a territorial road from Wyandott to Osawkee.
On motion by Mr. McMeekin,
The bill was laid on the table.

An act to incorporate a ferry at the town of Palermo, in the Territory of Kansas.
On motion by Mr. McMeekin,
The rule was suspended, and the bill read a second time, and
Referred to the committee on roads and highways.

An act relative to fugitives from other States.
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Wade,
Referred to the committee on judiciary and criminal jurisprudence.

An act to regulate proceedings upon writs of *mandamus.*
On motion by Mr. Wade,

The rule was suspended, and the bill read a second time, and
Referred to the committee on judiciary and criminal jurisprudence.

An act to incorporate the Leavenworth and Lecompton Railroad Company.
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. McMeekin,
Referred to a select committee, consisting of Messrs. McMeekin, Browne, and Williams.

An act respecting salvage.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. McMeekin,
Referred to the committee on judiciary and criminal jurisprudence.

An act to declare a certain road a territorial road.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Kirk,
The rule was again suspended, and the bill read a third time, and passed.

An act to incorporate a university at Fort Scott, Kansas Territory.
On motion by Mr. Weddle,
The rule was suspended. and the bill read a second time, and,
On motion by Mr. Marshall,
Referred to the committee on corporations.

An act concerning jails and jailors.
On motion by Mr. McGee,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Wilkinson,
The rule was again suspended, and the bill read a third time, and,
On motion by Mr. Anderson,
Referred to the committee on judiciary and criminal jurisprudence.

An act to establish a territorial road from the city of Kickapoo, through the valley of Salt creek, to the city of Leavenworth.
On motion by Mr. McMeekin,
The bill was laid on the table.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled House bills of the following titles:

An act concerning debtors and their securities.
An act to establish a ferry at Lewis' Point, on the Missouri river.
An act to provide for the location of territorial roads in the Territory of Kansas.
An act to locate a territorial road.
An act for a territorial road from Atchison to Marysville.
An act to locate and establish a territorial road from Mount Vernon to Calhoun.
An act authorizing officers to call to their assistance the power of the county.
An act to establish a road from Kickapoo to Money creek.

An act to establish a territorial road from a point above Franklin, on the California road, to the town of Lecompton, in Kansas Territory.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to Fort Riley, in Kansas Territory.

An act to incorporate the Lecompton Town Company.

An act to view and mark out a road from Black Jack Point to a point on the Santa Fe road at or near McGee's, on One Hundred and Ten creek.

An act to establish a territorial road from Whitehead, to intersect the St. Joseph and Fort Riley road.

An act to establish a ferry on the Maridecyne river.

An act to locate and establish a territorial road from Atchison to Iola, in the Territory of Kansas.

An act to establish a road from Delaware, on the Missouri river, to Calhoun.

An act to establish a territorial road from a point on the old California road, on the west side of Little Wakarusa, to Matthew Rule's, on Big Wakarusa.

Mr. Anderson also submitted the following report:

The select joint committee on the proper form of enrolled bills, beg leave to report that they have considered the same, and report as follows:

Enrolled bills should be on parchment or large vellum cap paper, written in a round continuous hand, without space or interval, and if of more than one page, then on both pages, so as to leave no intervening space, all properly punctuated.

A. M. COFFEY,
On part of the Council.
JOSEPH C. ANDERSON,
H. D. McMEEKIN,
On the part of the House.

Mr. Anderson, on leave, introduced a bill entitled
An act for the relief of debtors,
Which was read a first time, and,
On motion by Mr. McGee,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Anderson,
Referred to the committee on judiciary and criminal jurisprudence.

Mr. Anderson, chairman of the select committee, to whom was referred House bill No. 128, entitled
An act to provide for a convention.
Reported the same back and recommended its rejection,
And also reported a substitute to said bill of the following title:
An act to provide for a call of a convention to form a State Constitution.
And recommended its passage.
The report was agreed to, and
The bill rejected.
The substitute read a first time, and,
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Speaker Stringfellow, (Mr. Waterson in the Chair,)
The bill was considered engrossed.

Mr. Payne introduced a bill entitled
An act concerning a Territorial Printer,
Which was read a first time, and,
On motion by Mr. Anderson,
The rule was suspended and the bill read a second time, and,
On motion by Mr. Payne,
It was referred to a select committee, consisting of Messrs. Payne, Anderson and Tebbs.

Mr. Whitlock introduced a bill of the following title,
An act to restrain gaming,
Which was read a first time, and,
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and
On motion by Mr. McMeekin,
Referred to a select committee consisting of Messrs. McMeekin, Williams Johnson, Marshall and Blair.

Mr. Weddle introduced a bill entitled
An act concerning mills and millers,
Which was read a first time, and,
On motion by Mr. Wade,
The rules were suspended, the bill read a second time, and
Referred to a select committee, consisting of Messrs. Wade, Weddle and Wilkinson.

Mr. Tebbs offered the following resolution:

Resolved, That the committee on elections be hereby instructed to report a bill providing for an appointment and election of members of the House of Representatives at the first general election in October next,
Which was read a first time, and,
Mr. McMeekin moved to lay it on the table,
Which was lost.

Mr. Anderson moved that the House adjourn.
The motion was lost, by the following vote,
Mr. McMeekin having demanded the ayes and noes:

AYES—Messrs. Anderson, Blair, Johnson, Mathias, McMeekin, Whitlock, and Williams—7.
NOES—Messrs. Banks, Browne, Kirk, Marshall, McGee, Payne, Scott, Tebbs, Wade, Waterson, Weddle, Wilkinson, Younger and Mr. Speaker—14.
Absent—Messrs. Croysdale, Harris, Hieskell and Houston—4.
Absent on leave—Mr. Ward.

Mr. McMeekin moved that the House adjourn.
Which was lost.

Mr. Mathias moved that the House adjourn,
Which was agreed to.

So the House adjourned.

FRIDAY MORNING, AUGUST 17, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Johnson presented the petition of Perry Fuller, J. C. Hughes, Levi Doty, G. F. Kezer, and others, praying for the enactment of a law prohibiting the sale and use of intoxicating liquors among the Indians.

On motion by Mr. Johnson,

The petition was referred to the select committee to whom was referred the bill entitled

An act to regulate the sale of intoxicating liquors and to restrict dramshops.

Mr. Kirk, from the committee on roads and highways, to whom was referred House bill No. 132, entitled

An act to locate and establish a territorial road from Lewis' Point on the Missouri river, to a point on the Grasshopper creek,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled

An act to incorporate the Fort Scott University, in the Territory of Kansas,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

The rules requiring the ayes and noes having been suspended.

Mr. Mathias, Chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act to regulate proceedings in criminal cases,

Reported the same back with the following amendments:

In article 2, section 14, strike out the words "complainant and the."

Strike out section 15 entirely.

In article 3, section 21, insert after the words "found," in the first line, the words "and presentments made."

Strike out section 25.

In article 4, section 6, after the words "county," whenever they occur, insert the words "or district."

In section 7, after the words "counties," where they occur, insert the words "or districts."

In article 5, section 1, after the word "indictment," where it first occurs, insert the words "is found," and after the word "indictment," where it occurs a second time, insert the word shall."

In section 10, at the end of the second line thereof, insert the word "Territory."

In section 15, after the word "county," in the fourth line, insert the words "or district," and after the word "the," in the fifth line, insert the words "Attorney for the Territory," and after the words "prosecuting attorney," insert the words "of the county from which the case is sought to be removed."

In article 9, section 26, after the word "this," in the fifth line thereof, insert the word "Territory."

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Weddle,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended, read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act regulating the action of ejectment,

Reported the same back with the following amendment:

Strike out sections 12 and 13, and number the sections from sec. 11, continuously to the end.

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time and agreed to.

And the bill as amended, was read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act to provide for the partition of land and personal property,

Reported the same back with the following amendments:

In section 1, strike out the words "county," and "counties," where they occur, and insert the word, "district" for "county," and "districts," for "counties."

In section 62, strike out the words "one dollar and fifty cents," and insert in lieu thereof, "two dollars."

And recommend its passage as amended.

The report was agreed to, and

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred House bill No. 133, entitled

An act to incorporate the Kansas Mining Company,

Reported the same back with the following amendment:

Amend sec. 3, by striking out after the word "same," in the third line to the word "which," in fifth line.

And as amended, recommended its passage.

The report was agreed to, and

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended read a third time and passed.

Mr. Wilkinson, from the committee on finance, to whom was referred Council bill entitled

An act to license and tax merchants,

Reported the same back with the following amendment:
Amend by striking out the 17th section of the bill.
And as amended recommended its passage.
The report was agreed to, and,
On motion by Mr. Weddle,
The rule was suspended, and the amendment read a second time.

Mr. Kirk offered the following amendment:

In section 17, after the word "liquors," add the words "in less quantities than twenty gallons."
Which was read a first time, and,
On motion by Mr. Marhshall,
The amendment was rejected.
The amendment of the committee was then agreed to.

Mr. Wilkinson called for the ayes and noes:

AYES—Messrs. Anderson, Banks, Blair, Browne, Harris, Marshall, Mathias, McMeekin, Scott, Wade, Ward, Waterson, Weddle and Mr. Speaker—14.
NOES—Messrs. Johnson, Kirk, Williams, Wilkinson and Younger—5.
Absent—Messrs. Croysdale, Hieskell, Houston, McGee, Payne, and Whitlock—6.
Mr. Tebbs was excused from voting.

The bill as amended was then read a third time, and,
On motion by Mr. Mathias,
The bill was re-committed, and referred to a select committee, consisting of Messrs. Mathias, Marshall and Wilkinson.

Mr. Waterson, from the committee on education, to whom was referred House bill No. 135, entitled
An act to provide for the establishment of common schools.
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and,
The bill read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled
An act to incorporate the Occidental Telegraph Company.
Reported the same back without amendment,
And recommended its passage.
The report was agreed to,
And the bill read a third time and passed.
On motion by Mr. Weddle,
The rule requiring the ayes and noes having been suspended.

Mr. McMeekin, from the select committee, to whom was referred Council bill entitled
An act to incorporate the Leavenworth and Lecompton Railroad Company,
Reported the same back with the following amendments:

In section 1, line 13, amend the word "continued," by substituting "perpetual."

In section 18, line 2, amend by substituting "five," for "seven."

Section 15, add to this section the following: "And in raising money for the completion of said road or branches, set forth in this act of incorporation, the company shall have the privilege of issuing its bonds in sums not less than one hundred dollars, redeemable at any time after five years from their date, bearing interest at a rate of not more than 15 per cent. per annum.

Section 20. that sections 7, 18 and 20, of article 1, and so much of section 11, article 2, as relates to "stock owned," of an act concerning corporations, shall not apply to this act.

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Weddle,

The rules were suspended, and the amendment read a second time, and agreed to, and,

On motion by Mr. Speaker Stringfellow (Mr. Waterson in the chair)

The bill was laid over for the present.

Mr. Waterson, from the committee on corporations, to whom was referred Council bill entitled

A bill to incorporate the Kansas Central Railroad company,

Reported the same back with the following amendments:

Add to the second section, after the word "Territory," in the 9th line, as follows: "to a point or place where the Nebraska City and Marysville Railroad shall cross the line dividing the Territories of Kansas and Nebraska."

And as amended, recommended its passage.

The report was agreed to, and

On motion by Mr. Marshall,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

On leave, Mr. Anderson introduced the following concurrent resolution:

Resolved, By the House of Representatives of the Territory of Kansas, the Council concurring therein, that a joint committee, to consist of two membeos from the House, and one from the Council, be appointed to report a bill to lay off the Territory into Council Districts, and apportion representation in the Council and House of Representatives. Also, a bill to lay off Judicial Districts, and specify the times and places of holding courts,

Which was read a first time, and,

On motion by Mr. Marshall,

The rule was suspended, and the resolution read a second time and agreed to.

Mr. Wade, chairman of the select committee to whom was referred House bill No. 143, entitled

An act concerning mills and millers,

Reported the same back without amendment and recommended its passage.

The report was agreed to, and

The bill was read a third time and passed.

Mr. Kirk introduced a bill entitled

An act to repeal all laws hitherto in force in this Territory,

Which was read a first time, and,

On motion by Mr. Marshall,

The rule was suspended and the bill read a second time, and,
On motion by Mr. Anderson,
Referred to the committee on judiciary and criminal jurisprudence:

Mr. Browne introduced a bill entitled
An act to incorporate the Mount Vernon Town Company,
Which was read a first time, and,
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and
Referred to the committee on corporations.

Mr. Browne also introduced a bill entitled
An act to incorporate the Calhoun Town Company.
Which was read a first time, and,
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and
Referred to the committee on corporations.

The following House bill was then read a third time and passed:
An act to provide for a call of a convention to form a State constitution.

On leave, Mr. Tebbs introduced a bill of the following title:
An act to provide for the taking of the census of the people of the Territory of Kansas,
Which was read a first time, and,
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and
Referred to the committee on judiciary and criminal jurisprudence:

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following Council bills have passed the Council:

An act defining punishments for crimes affecting property, public and private.

An act defining the punishments of crimes affecting currency, records and securities, public and private.

An act in relation to the general provisions regulating crimes and punishments.

An act defining the punishment of offences against public morals and decency.

An act defining punishment for crimes affecting the administration of justice.

An act defining the punishment of offences affecting the security of persons and property.

Also,

That the following House bills have passed the Council:

An act to authorize James Findley to establish a bridge across the Wakarusa river, as amended.

An act to provide for paying the Clerks of the Legislative Assembly of the Territory of Kansas, as amended.

Also, that the following bills have been introduced into the Council:

An act respecting aliens.
An act concerning gaming.
An act to provide for removing the county seats in certain counties.

On motion by Mr. Mathias,
The House bill No. 129, entitled
An act to provide for paying the Clerks of the Legislative Assembly of the Territory of Kansas,
Which had been returned by the Council,
Was taken up and the Council amendment read a first time, and
On motion by Mr. Mathias,
The rule was suspended, and the amendment read a second time.

Mr. Mathias offered the following amendment to the Council amendment

In section 2, as amended by the Council, strike out all after the word "Houses," and insert "one hundred dollars."
Whhich was read a first time.

Mr. Wilkinson offered the following substitute to the amendment:

Amend by adding after the words "three dollars per day," "said amount to be paid by the members of of the Legislative Assembly, each member to pay an equal share."
Which was read a first time, and,
On motion by Mr. Anderson,
The substitute was laid on the table.

The question then recurring upon the amendment offered by Mr. Mathias.

Mr. Marshall moved to reject the amendment.

Mr. Weddle demanded the ayes and noes.
The vote stood as follows:

AYES—Messrs. Blair, Browne, Harris, Marshall, Weddle, Wilkinson, and Mr. Speaker—7.
NOES—Messrs. Anderson, Banks, Croysdale, Johnson, Kirk, Mathias, McGee, McMeekin, Scott, Tebbs, Wade, Ward, Waterson, Williams and Younger—15.
Absent—Messrs. Hieskell, Houston, Payne and Whitlock—4.

So the motion was lost.
The amendment was then adopted.

Mr. Johnson offered the following resolution:

Resolved, That the committee on roads and highways be instructed to report on to-morrow, the following bills back to this House:
Council bill No. 9, Council bill No. 41, Council bill No. 43, Council bill No. 61. Also, House bill No. 104,
Which was adopted by the following vote,

The ayes and noes having been demanded by Mr. Harris:

Ayes—Messrs. Banks, Blair, Johnson, Kirk, Mathias, Scott, Wade, Waterson, Wilkinson, Younger and Mr. Speaker—11.
Noes—Messrs. Anderson, Browne, Harris, Marshall, McGee, Tebbs, Ward, Weddle and Williams—9.
Absent—Messrs. Croysdale, Houston, Hieskell, McMeekin, Payne and Whitlock—6.

On motion by Mr. Croysdale,
The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

On motion by Mr. Waterson,

The roll of the House was called.

Members Absent—Messrs. Blair, Browne, Croysdale, Harris, Hieskell, Houston, Johnson, Mathias, Tebbs, Wade, Whitlock and Williams—12.

A quorum present.

On motion by Mr. Marshall,
The House bill No. 74, returned by the Council with amendments entitled
An act to authorize James Findley to establish a bridge across the Wakarusa river,
Was taken up, and the Council amendment read a first time, and,
On motion by Anderson,
The amendment was disagreed to.

On motion by Mr. Waterson,
The House bill No. 68, returned by the Council with amendment, entitled
An act appropriating certain funds for the support of common schools,
Was taken up, and the Council amendment read a first time, and
On motion by Mr. Wade,
The rule was suspended, and the Council amendment read a second and third time and agreed to.

Mr. Andersen presented the petition of Messrs. Majors, Russell, & Co., L. N. Rees, J. Westcott and others, praying for the establishment of a Bank.

On motion by Mr. McMeekin,
Referred to a select committee, consisting of Messrs. McMeekin, Marshall and Anderson.

On motion by Mr. Marshall,
The House bill No. 131, entitled
An act to incorporate the Atchison Bank of Kansas Territory,
Was taken up and read a third time.

Mr. Wilkinson offered the following amendment, by way of rider:

Amend, by adding after the word "provided," in the 18th section, "and the said bank or any of its branches, shall issue any bill for a less denomination than fifty dollars."
Which was read a first time.

Mr. Waterson offered the following amendment to the amendment:

Amend the amendment by striking out the word "fifty," and insert "five."
Which was read a first time.

Mr. Tebbs moved to refer the bill to the committee on corporations.

Mr. Wilkinson moved as a substitute to the last motion, to refer the bill to the committee of the whole House, and be made the special order for 3 o'clock this evening,
Which was agreed to.

On leave, Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled
An act to incorporate the Engatah Association,
Reported the same back with the following amendments:

Amend section 1st, by inserting after the name of "James S. Barbee," and before the word "and" in the seventh line, the following names: Thomas Johnson, R. R. Rees, John W. Forman, A. M. Coffey, Wm. Barbee, A. McDonald, E. Chapman, John A. Halderman, Charles H. Grover, Thomas C. Hughes, S. J. Waful, Carey B. Whitehead, J. M. Banks, Joel P. Blair, O. H. Browne, D. L. Croysdale, H. B. C. Harris, W. A. Hieskell, R. L. Kirk, Frank J. Marshall, Wm. G. Mathias, H. D. McMeekin, A. Payne, Samuel Scott, Wm. H. Tebbs, A. B. Wade, G. W. Ward, Thomas W. Waterson, Jonah Weddle, James Whitlock, Allen Wilkinson, H. W. Younger, John H. Stringfellow, J. M. Lyle, John Martin, J. C. Thompson, B. F. Simmons, T. J. B. Cramer, B. P. Campbell and Samuel a Lowe.
Amend second section, by striking out of the eighth and ninth lines, all between the words "exceeded" and "acres," and insert the following: "nine thousand two hundred and eighty."
And as amended recommended its passage.
The report was received.

On motion by Mr. McMeekin,
Council bill entitled
An act to incorporate the Leavenworth and Lecompton Railroad Company,
Was taken up.

Mr. Speaker Stringfellow, (Mr. Waterson in the Chair,)
Offered the following amendment:

Amend section 7, by adding thereto, "through which such road shall pass."

Add as an additional section:

Section — Nothing in this act shall be construed as vesting in this company, hereby created, the exclusive right to construct a railroad from any other point than the town of Leavenworth to Lecompton, and provided further, that if said road be not commenced and at least —— miles thereof be completed within —— years, the Legislative Assembly shall have power to authorize any other company or person to lay out and construct a road from Leavenworth to Lecompton,

Which was read a first time, and,

On motion by Mr. Speaker Stringfellow,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. McMeekin,

The blanks were filled by the words "ten," and "five."

The amendment was then agreed to.

Mr. Marshall offered the following amendment:

Amend sec. 1, by adding "Provided, however, that the funds of said company shall never be invested in the purchase of any land in this Territory, except such as may be necessary for the construction of such road, its depots, stops, and turn-outs, and in such as may be sold under judgment in favor of said company,"

Which was read a first time, and,

On motion by Mr. Johnson,

The rule was suspended and the amendment read a second time, and agreed to by the following vote,

Mr. Mathias having demanded the ayes and noes:

Ayes.—Messrs. Anderson, Banks, Blair, Browne, Johnson, Kirk, Marshall, McGee, Payne, Scott, Wade, Ward, Weddle, Williams, Wilkinson, Younger Waterson, and Mr. Speaker—18.

Noes—Messrs. Mathias, McMeekin and Tebbs—3.

Absent—Messrs. Croysdale, Harris, Hieskell, Houston and Whitlock—5.

The bill as amended was then read a third time and passed,

The rule requiring the ayes and noes,

On motion by Mr. Speaker Stringfellow, (Mr. Waterson in the chair,)

Having been suspended:

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed the following enrolled House bills:

An act concerning debtors and their sureties.

An act to establish a ferry at Lewis' Point, on the Missouri river.

An act to provide for the location of territorial roads in the Territory of Kansas.

An act to locate a territorial road.

An act to locate and establish a territorial road from Mount Vernon to Calhoun.

An act entitled an act to establish a territorial road from Atchison to Marysville.

An act authorizng officers to call to their assistance the power of the county.

An act to establish a road from Kickapoo to Money creek.

An act to establish a territorial road from a point above Franklin, on the the California road to the town of Lecompton, in Kansas Territory.

An act to locate and establish a territorial road from a point opposite St. Joseph, Missouri, to Fort Riley.

An act to incorporate the Lecompton Town Company.

An act to view and mark out a territorial road from from Black Jack Point to a point on the Santa Fe road, at or near McGee's, one "One Hundred and Ten" creek.

An act to establish a territorial road from Whitehead, to intersect the St. Joseph and Fort Riley road.

An act to establish a ferry across the Maridecyne river at Taylor & Ballard's Ford.

An act entitled an act to locate and establish a territorial road from Atchison to Iola, in the Territory of Kansas.

An act to establish a territorial road from Delaware, on the Missouri river, to Calhoun and other points.

An act to establish a territorial road from a point on the old California road, on the west side of Little Wakarusa, to Matthew Rule's, on the Big Wakarusa creek.

Also,

That the President of the Council has signed the following enrolled Council bills:

An act concerning divorce and alimony.

An act licensing and controlling auctioneers.

An act to incorporate the Wathena plank and macadamized road company.

An act to regulate the limitation of actions.

An act to authorize Fox B. Booth to keep a ferry.

An act to locate a territorial road from the Missouri State line to Fort Atkinson.

An act concerning the action of detinue.

An act concerning inquests.

An act to establish a territorial road from the town of Kickapoo, in the Territory of Kansas, to intersect the military road leading from Fort Leavenworth to Fort Riley.

An act concerning set-offs.

An act to declare a certain road a territorial road.

An act concerning bonds and notes.

An act respecting public administrators.

An act concerning coroners.

An act incorporating the city of Lawrence.

An act for the speedy recovery of debts due on bonds and notes.

An act concerning fraudulent conveyances.

An act concerning attorneys at law.

An act concerning descents and distributions.

An act to establish a ferry at Whitehead, on the Missouri river.

An act to incorporate the Kansas Valley Railroad Company.

An act concerning securities.

An act to incorporate the South Kansas Railroad Company.

On motion by Mr. Anderson,

The House resolved itself into a committee of the whole, for the purpoof considering the bill to incorporate the Atchison Bank of Kansas Territory.

Mr. Anderson in the chair.

After some time spent in committee,

On motion by Mr. Weddle,

The committee rose, and through their chairman, Mr. Anderson, made the following report, which was agreed to:

MR. SPEAKER:

The committee of the whole House, to which was referred the House bill entitled "An act to incorporate the Atchison Bank of Kansas Territory," have had the same under consideration, and have instructed me to report the bill back to the House, with amendments made in committee, and recommend the passage of the bill, with the amendments.

JOSEPH C. ANDERSON,
Chairman of House Committee.

On motion by Mr. Mathias,

The House adjourned.

SATURDAY MORNING, AUGUST 18, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Harris, chairman of the committee on roads and highways, to whom was referred Council bills entitled

An act to declare certain roads public highways.

An act to locate a territorial road.

An act to establish a territorial road from William King's to the Catholic Osage mission.

A bill entitled an act to locate a territorial road from a point opposite Westpoint, Missouri, to Marysville, in Kansas Territory.

Also, House bills Nos. 137 and 104, entitled

An act supplemental to an act to establish a territorial road from a point

opposite Boston, Missouri, to a point on the California road at or near the Half-way Grove, in the Territory of Kansas.
An act to establish a territorial road from Willow Springs to Douglas.
Reported the same back and recommended their rejection.
The report was agreed to.

On motion by Mr. Waterson,
The vote was reconsidered so far as related to House bill No. 137.
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The whole report was rejected,
The Council bill entitled
An act to declare certain roads public highways,
Was then read a third time and passed.

The House bill No. 137, entitled
An act supplemental to an act entitled an act to establish a territorial road from a point opposite Boston, in Missouri, to a point on the California road at or near the Half-way Grove, in the Territory of Kansas,
Was read a third time.
Mr. Kirk offered the following amendment:
Amend by striking out sections 3, 4, and 5.
Which was read a first time.
Mr. Waterson moved that the amendment be rejected.
Which was lost.
Mr. Kirk moved that the rules be suspended, and the amendment read a second time.
Which was lost.
The bill was then passed.

The Council bill entitled
An act to locate a territorial road,
Was read a third time and passed.

The Council bill entitled
An act to establish a territorial road from William King's to the Catholic Osage mission,
Was read a third time and rejected.

The Council bill entitled
An act to locate a territorial road from a point opposite Westpoint, Missouri, to Marysville, in Kansas Territory,
Was read a third time and rejected.

The House bill No. 104, entitled
An act to establish a territorial road from the Willow Springs to Douglas,
Was read a third time and passed.

On motion by Mr. Banks,
Leave of absence was granted to Mr. Wade until Monday next.

Mr. McMeekin, chairman of the committee on public printing, to whom was referred Council bill entitled
An act to provide for the election of Public Printer,
Reported the same back without amendment, and recommended its passage.
Which was agreed to.

Mr. Payne, chairman of the select committee to whom was referred House bill No. 141, entitled

An act concerning a Territorial Printer,

Reported the same back as a substitute to the Council bill last reported, with the following amendments:

In section 1, ninth line, strike out the word "two," and insert "four."

In sec. 2, after the word "for," add "and during," and after the word "progress," in same line, insert "of the work," and after the word "or," in same line, insert the word "upon."

In sec. 4, 7th line, after the word "shall," insert "number."

In sec. 8, strike out all of third line after the word "items;" in same section strike out all of item 1st after the word "law;" in same section, strike out all of item 2d after the word "law;" in same section, strike out all of item 3d after the word "House;" in same section strike out items 9 and 10.

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. McMeekin,

The bill was rejected, by the following vote,

Mr. Wilkinson having demanded the ayes and noes:

Ayes—Messrs. Anderson, Banks, Browne, Johnson, Kirk, McMeekin, Scott, Weddle, Williams, Wilkinson, Younger—11.

Noes—Messrs. Blair, Croysdale, Harris, Marshall, McGee, Payne, Tebbs, Ward, Waterson, Mr. Speaker—10.

Absent—Messrs. Hieskell, Houston, Mathias, and Whitlock.

Absent on leave—Mr. Wade.

The question then recurring upon the Council bill entitled

An act to provide for the election of Public Printer,

Mr. Speaker Stringfellow (Mr. Anderson in the chair) moved to read and adopt the bill by sections.

Which was agreed to.

Mr. Speaker Stringfellow offered the following substitute to section 1:

Sec. 1. That a Territorial Printer shall be elected by the Council and House of Representatives in joint session, and upon a joint resolution of the two Houses, which said Printer shall hold his office for the term of one year from his said election, and until his successor is elected and qualified.

Which was read a first time.

On motion by Mr. Speaker Stringfellow,

The rule was suspended, and the substitute read a second and third time, and adopted, by the following vote,

Mr. Speaker Stringfellow having demanded the ayes and noes:

Ayes.—Messrs. Banks, Blair, Croysdale, Harris, Johnson, Kirk, Marshall, Mathias, McGee, Payne, Scott, Tebbs, Ward, Waterson, Weddle, and Mr. Speaker—16.

Noes.—Messrs. Anderson, Browne, McMeekin, Williams, Wilkinson, and Younger—6.

Absent.—Messrs. Hieskell, Houston, and Whitlock—3.

Absent on leave—Mr. Wade.

Mr. Speaker Stringfellow (Mr. Anderson in the chair) offered the following amendment:

Amend by striking out "Governor," and insert the "Secretary of the Territory," and strike "$5,000" and insert "$10,000."

Which was read a first time, and,

On motion by Mr. Speaker Stringfellow,

The rule was suspended, and the amendment read a second and third time, and agreed to.

Mr. Speaker Stringfellow, Mr. Anderson in the chair, offered the following amendment to sec. 11:

Amend by adding the letter "s" to the word "printer."

Which was read a first time, and the rule suspended, and the amendment read a second and third time and agreed to.

Mr. Speaker Stringfellow (Mr. Anderson in the chair) offered the following amendment:

Add to the end of the bill:

SEC. 12. Provided, that nothing in this act shall be so construed as to conflict with the previous orders and resolutions passed in relation to the printing ordered by the two Houses, and the printing of the journals of the two Houses of the present session by the present Printer.

The amendment was read a first time, and,

On motion by Mr. Speaker Stringfellow,

The rule was suspended, and the amendment read a second and third time, and agreed to.

The bill as amended was then read a third time and passed.

On motion,

The House bill No. 99, returned by the Council with amendments, entitled

An act to define the boundaries of the several counties of the Territory of Kansas,

Was taken up.

On motion by Mr. Anderson,

The Council amendments were ordered to be read separately.

The Council amendment to section 4 was,

On motion by Mr. Kirk,

Disagreed to.

The Council amendment to section 5 was read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. McMeekin,

The rule was again suspended, and the amendment read a third time and agreed to.

Council amendment to section 6 was read a first time, and,

On motion by Mr. Anderson,

The amendment was disagreed to, by the following vote,

Mr. Browne having demanded the ayes and noes:

AYES—Messrs. Anderson, Browne, Croysdale, Harris, Johnson, Kirk, Mathias, McMeekin, Scott, Tebbs, Ward, Williams—12.

NOES—Messrs. Banks, Blair, Marshall, McGee, Payne, Waterson, Weddle, Wilkinson, Younger, Mr. Speaker—10.

Absent—Messrs. Hieskell, Houston, and Whitlock—3.

Absent on leave—Mr. Wade.

The Council amendment to section 18 was read a first time, and,
On motion by Mr. Anderson,
The rule was suspended, and the amendment read a second and third time, and agreed to.

The Council amendment to section 22 was then read a first time.
Mr. Anderson moved to disagree to the amendment.
Which was lost, by the following vote,
Mr. Browne having demanded the ayes and noes:

AYES—Messrs. Anderson, Banks, Browne, Croysdale, McGee, McMeekin, Tebbs, Williams—8.
NOES—Messrs. Blair, Harris, Johnson, Kirk, Marshall, Mathias, Payne, Scott, Ward, Waterson, Weddle, Wilkinson, Younger, Mr. Speaker—14.
Absent—Messrs. Hieskell, Houston, and Whitlock—3.
Absent on leave—Mr. Wade.

On motion by Mr. Anderson,
The rule was suspended, and the amendment read a second time, and,
On motion by Mr. Johnson,
The rule was again suspended, and the amendment read a third time, and passed.

Council amendment to section 25 was read a first time.
Mr. Speaker Stringfellow (Mr. Anderson in the chair) offered the following amendment:
Amend section 25, so far as it relates to the boundaries of Doniphan county, by striking out all after the word "follows," and insert in lieu:
Commencing where the line between Kansas and Nebraska strikes the Missouri river, thence west to the first township line, thence south 24 miles, thence east to the range line which runs north and south through the town of Atchison, thence south to the middle of Independence creek, thence down the middle of said creek to the Missouri river, thence up said river to the place of beginning.
Which was read a first time, and,
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The rule was suspended, and the amendment read a second and third time, and agreed to.

Mr. Blair offered the following amendment to the same section:
Amend Council amendment to section 25, so far as relates to Doniphan county:
"That the county commissioners be required to locate the county seat in six miles of the geographical centre of the county."
Which was read a first time.

Message from the Council by Mr. Haldeman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the following House bills:

An act to regulate elections, with amendments.

An act to define the boundaries of the several counties of the Territory of Kansas, with amendments.

An act to establish a ferry across the Kansas river, at the town of Lawrence, in Kansas Territory.

Also,

That the House amendments to the following Council bills have been adopted:

An act to establish and regulate justices' courts.

An act to regulate ferries.

An act to regulate wills.

An act concerning evidence.

An act to establish the office of county treasurer.

An act to establish the office of county recorder.

An act regulating the practice in courts of chancery.

Also,

That the House amendment to the 21st section of "An act concerning witnesses" has been disagreed to, and the remainder adopted.

Also,

That the Council has passed the following Council bills:

An act concerning gaming.

An act to establish the treasury department, and to define the powers and duties of Treasurer and Auditor.

An act to prohibit the keeping of billiard tables.

An act concerning the plats of towns and villages.

An act respecting aliens.

Also,

That Messrs. Coffey, Richardson, and Grover have been appointed as a Council committee of conference, to meet a like committee on the part of the House, to consider a bill entitled

An act fixing the interest of money.

Also,

The following bills have been introduced into the Council:

An act respecting notaries public.

An act regulating practice in the supreme court.

An act prescribing the jurisdiction and terms of the district courts.

An act providing for the office of sheriff, and prescribing his duties.

An act providing for change of venue in civil cases.

An act to regulate actions on penal bonds.

An act fixing the time of meeting of the Legislative Assembly.

An act to provide for filling vacancies in the Legislative Assembly.

* An act to authorise the Council and House of Representatives to punish for contempts, and for other purposes.

An act for the regulating and management of the territorial library.

An act to provide for taking the census of the Territory.

An act to provide for building bridges.

An act concerning patrols.

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to request the House of Representatives to return to the Council House bill entitled

An act to regulate elections.

On motion by Mr. Anderson,
The bill was returned to the Council.

On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

The question then recurring upon the amendment offered by Mr. Blair to Council amendment to House bill No. 99, entitled
An act to define the boundaries of the several counties of the Territory of Kansas,
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The rule was suspended, and the amendment read a second and third time, and agreed to.

The Council amendment to section 28 was read a first time, and,
On motion by Mr. Speaker Stringfellow,
The rule was suspended, and the amendment read a second time, and,
On motion by Mr. Banks,
The rules were again suspended, and the amendment read a third time, and agreed to.

The Council amendment to section 34 was read a first time.
The rule was suspended, and the amendment read a second and third time, and agreed to.

The Council amendment to section 35 was read a first time, and,
On motion by Mr. Speaker Stringfellow,
The rule was suspended, and the amendment read a second time, and,
On motion by Mr. Johnson,
The rule was again suspended, and the amendment read a third time, and agreed to.

The Council amendment to section 36 was read a first time, and,
On motion by Mr. Johnson,
The rule was suspended, and the amendment read a second time, and,
On motion by Mr. Weddle,
The rule was again suspended, and the amendment read a third time, and passed.

The Council amendment to section 27 was read a first time, and,
On motion by Mr. Speaker Stringfellow,
Mr. Waterson in the chair,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Johnson,

The rule was again suspended, and the amendment read a third time, and agreed to.

The Council amendment to section 6 was read a first time, and,

On motion by Mr. Speaker Stringfellow,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Johnson,

The rule was again suspended, and the amendment read a third time, and agreed to.

Also,

The Council amendment in relation to the southern boundary of Atchison county was read a first time, and,

On motion by Mr. Harris,

The rule was suspended, and the amendment read a second time, and.

On motion by Mr. Weddle,

The rule was again suspended, and the amendment read a third time, and agreed to.

On motion by Mr. Speaker Stringfellow,

Mr. Anderson in the chair,

All other amendments of the Council were rejected.

On motion by Mr. Speaker Stringfellow,

The House bill No. 131, entitled

An act to incorporate the Atchison Bank of Kansas Territory,

Was taken up.

The question recurring upon the adoption of the amendment adopted in committee of the whole,

On motion by Mr. Speaker Stringfellow,

The question was divided.

The question being upon the adoption of the first clause of the amendment, "that all the individual property of the stockholders shall be liable for the redemption of said notes,"

Mr. Speaker Stringfellow (Mr. Anderson in the chair) moved that the amendment be rejected.

Which was agreed to, by the following vote,

Mr. Younger having demanded the ayes and noes:

Ayes—Messrs. Anderson. Croysdale, Harris, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne. Tebbs, Ward, Williams, Mr. Speaker—13.

Noes—Messrs. Banks, Blair, Browne, McGee, Scott, Waterson, Weddle, Wilkinson, Younger—9.

Absent—Messrs. Hieskell. Houston, and Whitlock—3.

Absent on leave—Mr. Wade.

The question being upon the adoption of the next clause of the amendment, "that said company shall not charge more than ten per cent. per annum."

Mr. McMeekin offered the following amendment to the amendment:

Amend by adding "on all loans."

Which was read a first and second time, and agreed to.

And the amendment as amended read a third time and agreed to, by the following vote,

Mr. Browne having called for the ayes and noes;

Ayes—Messrs. Banks, Blair, Browne, Harris, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Williams, Wilkinson, Younger—18.

Noes—Messrs. Anderson, Johnson, and Mr. Speaker—3.

Absent—Messrs. Croysdale, Hieskell, Houston, and Whitlock—4.

Absent on leave—Mr. Wade.

The question being upon the adoption of the third amendment: "nor put, or cause to be put in circulation, any bills or notes of other banks, of a less denomination than five dollars,"

On motion by Mr. Speaker Stringfellow,

Mr. Anderson in the chair,

The rule was suspended, and the amendment read a second and third time, and agreed to.

Mr. Waterson offered the following amendment to section 18:

Amend by adding, "That each individual stockholder shall be held liable in his individual capacity for the liabilities of the bank, in proportion to the amount of stock owned by such stockholders."

Which was read a first time.

Mr. Waterson moved that the rules be suspended, and the amendment read a second time.

Which was lost, by the following vote.

Mr. Waterson having demanded the ayes and noes:

Ayes—Messrs. Banks, Blair, Browne, McGee, Scott, Weddle, Waterson, Wilkinson, Younger—9.

Noes—Messrs. Anderson, Croysdale, Harris, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Tebbs, Ward, Williams, and Mr. Speaker—13.

Absent—Messrs. Hieskell, Houston, and Whitlock—3.

Absent on leave—Mr. Wade.

Mr. Harris offered the following amendment to section 18:

Amend by "causing the Legislature of the Territory to appoint three commissioners, whose duty it shall be to examine into the affairs of said bank and report annually to the Legislature of the Territory."

Which was read a first time.

Mr. Waterson offered the following substitute to the amendment:

"The bank shall be required to make annually to the Legislature a statement in writing, setting forth the amount of stock actually paid in, the amount of specie, gold, and silver on hand, the amount of paper in circulation on the first day of every month since the bank went into operation, or since the last report of said bank; said statement to be verified by the oath of the president and cashier of the bank."

Which was read a first time.

Mr. Browne offered the following substitute to both of the amendments:

"The president and directors shall annually publish an exhibit of the condition of said bank, attested by the cashier under oath."

Which was read a first time, the rule suspended, and the amendment read a second and third time and agreed to.

The section as amended was then adopted.

The question then being upon the adoption of the amendment to section 25, "that if said bank at any time fail to redeem any of the notes, when presented at the bank, in specie, it shall forfeit its charter."

Mr. Browne moved to amend by inserting the amendment after the word "fail," in fourth line.

The amendment was read a first time, and,

On motion by Mr. Speaker Stringfellow,

Mr. Anderson in the chair,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Johnson,

The rule was again suspended, and the amendment read a third time, and agreed to.

The bill as amended then passed, by the following vote,

Mr. Blair having demanded the ayes and noes:

Ayes—Messrs. Anderson, Browne, Croysdale, Harris, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Tebbs, Ward, Williams, Mr. Speaker—14.

Noes—Messrs. Banks, Blair, McGee, Scott, Waterson, Weddle, Wilkinson, Younger—8.

Absent—Messrs. Hieskell, Houston, and Whitlock—3.

Absent on leave—Mr. Wade.

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled House bill entitled

An act to locate the seat of government.

Mr. Browne introduced a bill entitled

An act creating a territorial university.

Which was read a first time, and,

On motion by Mr. Weddle,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Browne,

Referred to a select committee, consisting of Messrs. Browne, Marshall, and Mathias.

Mr. Weddle introduced a bill entitled

An act for the location and government of the penitentiary.

Which was read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time, and

Referred to the committee on judiciary and criminal jurisprudence.

Mr. McMeekin moved that the House adjourn.

Which was lost, by the following vote,

Mr. McGee having demanded the ayes and noes:

Ayes—Messrs. Anderson, Croysdale, Harris, Johnson, Mathias, McMeekin, Williams—7.

Noes—Messrs. Banks, Blair, Browne, Kirk, Marshall, McGee, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Wilkinson, Younger, and Mr. Speaker—15.

Absent—Messrs. Haskell, Houston, and Whitlock—3.

Absent on leave—Mr. Wade.

Mr. Tebbs, chairman of the select committee, to whom was referred the bill entitled

An act to provide for the erection of the capital and other public buildings,

Reported the same back, and recommended its rejection, and also reported a substitute to the bill, of the following title:

An act to provide for the erection of the capitol and other public buildings.

And recommended its passage.

The report was agreed to, and

The bill read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Waterson,

The rule was again suspended, and the bill considered as engrossed, and read a third time, and,

On motion by Mr. Mathias,

The bill was recommitted, and referred to the same committee.

Mr. Mathias moved that the House adjourn.

Which was lost.

Mr. Anderson, chairman of the committee on elections, to whom was referred Council bill entitled

An act admitting certain Indians to the rights of citizenship,

Reported the same back, and recommended its rejection.

The report was agreed to, and

The bill rejected.

Mr. Banks introduced a bill entitled

An act to incorporate the Louisiana Town Company.

Which was read a first time, and,

On motion by Mr. Anderson,

The rules were suspended, the bill read a second time, and

Referred to the committee on corporations.

On motion by Mr. Tebbs,

The House adjourned.

MONDAY MORNING, August 20, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Perry, Chaplain.

The journal was read and approved.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence to whom was referred House bill No. 139, bill entitled
An act for the relief of debtors,
Reported the same back with the following amendments:
In sec. 1, after the word "execution," strike out the words "founded upon any contract or debt," and insert in lieu thereof, the words "issued upon any civil case."
And as amended recommended its passage.
The report was agreed to, and
On motion by Mr. Waterson,
The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended, read a third time and passed.

On motion by Mr. Mathias,
Leave of absence was granted to Mr. Wilkinson.

Mr. Anderson offered the following concurrent resolution:

Resolved, By the House of Representatives, the Council concurring therein, that the persons appointed to copy the laws, be required to copy the titles of all bills which have passed this Legislative Assembly, and furnish a list to the Council and House as soon as practicable, and that the committee on accounts be authorised to certify his accounts for so doing to the Secretary of the Territory,
Which was read a first time, and,
On motion by Mr. Weddle,
The rule was suspended, and the resolution read a second time and passed.

Message from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that Council bills of the following title have been passed by the Council:

An act providing for change of venue in civil cases.
An act respecting notaries public.
An act to regulate actions on penal bonds.
An act concerning patrols.
An act providing for the office of Sheriff, and prescribing his duties.
An act prescribing the jurisdiction and terms of the district court.
An act providing for commissioner of the permanent seat of government.
An act authorizing the Council and House of Representatives to punish for contempts and for other purposes.

An act to provide for the removal of seats of justice in certain cases.
An act to incorporate the Leavenworth Jail Association.
An act to establish a territorial road from the Missouri State line, near Turkey Creek Bridge, to intersect the Westport and Lawrence road, near the Gum Springs.
An act to provide for building bridges.
An act to provide for taking the census of the Territory.
An act for the regulation and management of the Territorial Library.
An act to prevent certain trespasses.
An act fixing the time of meeting of the Legislative Assembly.
An act to provide for filling vacancies in the Legislative Assembly.
An act to provide for the collection of revenue.

Also that the following House bills have passed the Council:

An act to establish a ferry across the Kansas river at the town of Lawrence, in Kansas Territory.

The House substitutute for House bill No. 140, entitled
An abt to provide for a convention.
An act to prevent non-residents from grazing stock in Kansas Territory.
An act concerning jurors.
An act to prevent obstructions across Big Sugar Creek, with amendments.

Also,
That the Council insist on its amendments to House bill entitled
An act to authorize James Findley to establish a bridge across the Wakarusa river.

Also,
That the Council has disagreed to House amendments to Council amendment to House bill entitled
An act to provide for paying the Clerks of the Legislative Assembly of the Territory of Kansas.

Also,
That the Council has concurred in House concurrent resolution in regard to laying off the Territory into Districts, and apportioning the representation of the same.

Also,
That the Council has passed a concurrent resolution respecting certain Indian Treaties, and the admission of certain tribes to citizenship.

Mr. Mathias, Chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act to regulate proceeding upon writs of *mandamus*,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.

Mr. Mathias, chairman of the same committee to which was referred Council bill entitled
An act respecting [illegible]
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and

The bill read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred Council bill entitled

An act concerning escheats.

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and said bill

The bill read a third time and passed.

Mr. Tebbs, chairman of the select committee, to whom was referred House bill entitled

An act providing for the erection of the capitol and other public buildings,

Reported the same back with the following amendment:

Amend by filling up the blank in first section as follows: "That A. McDonald, F. J. Marshall and Samuel J. Jones, be."

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Harris,

The rule was suspended, and the amendment read a second time,

Mr. Browne offered the following amendment to the amendment:

Strike out "A. McDonald," and insert "H. D. McMeekin,"

The amendment was read a first time, and,

On motion by Mr. Browne,

The rule was suspended and the amendment read a second time and agreed to, and

The amendment to the amendment was agreed to, and

The bill as amended read a third time and passed.

Mr. McMeekin, chairman of the select committee, to whom was referred Council bill entitled

An act to restrain dramshops and taverns, and regulate the sale of intoxicating liquors,

Reported the same back with the following amendments:

In the enacting clause, strike out the words "Kansas Territory," and insert "the Territory of Kansas."

In sec. 5, strike out all after the word "favor," in the fifth line, and insert following: "unless a majority of the votes polled at said election shall declare in favor of granting said license."

In sec. 8, third line, strike out the word "State," and insert "Territory."

In sec. 9, in sixth line, after the word "of," strike out the word "six," and insert the word "twelve."

Strike out section 13, entirely.

In sec. 14, strike out the word "Sunday," in the thirteenth line, all to the word "nor," to the fifteenth line.

And as amended recommeded its passage.

The report was agreed to, and

On motion by Mr. [illegible],

The rule was suspended, and the amendments read a second time and agreed to.

Mr. Weddle offered the following amendment to sixth section:

Strike out "one year," and insert "six months," and strike out "six months" where it occurs, and insert "three months,"
Which was read a first time, and,
Mr. Johnson offered an amendment to the amendment,
That section six be struck out entirely,
Which was read a first time, and,
On motion by Mr. Harris,
The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time.

Mr. Speaker Stringfellow, (Mr. Waterson in the chair,)
Offered the following amendment to section 9th:

In the fifth line, strike out the word "Territorial," and insert "county,"
Which was read a first time, and,
The rule was suspended, and the amendment read a second time and agreed to.

Mr. Harris offered the following amendment to section 9th:

Amend by striking out "one hundred," and inserting "fifty,"
Which was read a first time.

Mr. McGee moved to substitute
"Twenty-five," in lieu of "fifty,"
Which was accepted.

Mr. Anderson moved to sustitute
"Ten," in lieu of "twenty-five,"
Which was accepted.

On motion by Mr. Speaker Stringfellow, (Mr. Waterson in the chair,)
The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed,
By the following vote,

Mr. Johnson having demanded the ayes and noes:

AYES—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Younger and Mr. Speaker—21.
ABSENT—Messrs. Houston, Whitlock and Williams—3.
ABSENT ON LEAVE—Messrs. Wade and Wilkinson—2.

On leave, Mr. Speaker Stringfellow, (Mr. Waterson in the chair,)
Introduced a bill entitled
An act supplementary to an act defining the boundaries of Atchison county,
Which was read a first time, and
On his motion,
The rule was suspended, and the bill read a second time, and considered as engrossed,
And read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred House bill No. 146, entitled

An act to incorporate the Calhoun Town Company,
Reported the same back without amendment,
And recommended its passage.
The report was agreed to,
And the bill read a third time and passed.
The rule requiring the ayes and noes having been suspended.

Mr. Waterson, chairman of the committee on corporations, to whom was referred House bill No. 145, entitled
An act to incorporate the Mt. Vernon Town Company,
Reported the same back without amendment and recommended its passage.
The report was agreed to, and
The bill was read a third time and passed.
The rule requiring the ayes and noes having been suspended.

Mr. Waterson, from the committee on corporations, to whom was referred House bill No. 150, entitled
An act to incorporate the Louisiana Town company,
Reported the same back without amendment, and recommended its passage,
The report was agreed to, and,
The bill read a third time and passed.
The rule requiring the ayes and noes having been suspended.

Mr. Marshall offered the following resolution,
Which was adopted:

Resolved, That the Public Printer be instructed to print one thousand copies of the bill entitled "An act to punish offences against slave property," for the use of the House.

Mr. Younger offered the following resolution :

Resolved, That no member shall receive any pay for any days he has been absent during the present session, and the clerk shall make out a list of a' days lost, and hand the same to the Secretary of the Territory.

On motion by Mr. Anderson,
The resolution was rejected by the following vote,
Mr. Younger having demanded the ayes and noes :

AYES—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott Tebbs, Ward, Waterson, Williams and Mr. Speaker—20.
NOES—Messrs. Weddle and Younger—2.
Absent—Messrs. Houston and Whitlock—2.
Absent on leave—Messrs. Wade and Wilkinson—2.

The select committee to whom was referred House bill No. 147, entitle
An act creating a Territorial University,
Made the following report :

MR. SPEAKER :

The special committee to whom was referred House bill entitled "An to provide for the institution and support of a University," beg leave to report the same without amendment, and recommend its passage.

As to locality, we would merely state that the bill locates the University proposed to be created, in the town of Douglas, on the Kansas river, provided, the proprietors or trustees of said town, donate at least ten acres of land in some eligible part of the town for the site of the University buildings.

O. H. BROWNE, Chairman.
WM. G. MATHIAS.

The report was agreed to.
And the bill was read a third time and passed.

Mr. Mathias, from the select committee, to whom was referred Council bill entitled

An act to incorporate the Leavenworth, Pawnee and Western Railroad Company,

Reported the same back with the following amendment:

In sec. 1, after the word "estate," in the 12th line, insert the words "necessary to carry out the provisions of this act, and no more."

And recommend its passage as amended.

The report was agreed to, and

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed,

By the following vote:

The ayes and noes having been demanded:

AYES—Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Williams, Younger and Mr. Speaker—20.

Absent—Messrs. Croysdale, Houston, McGee and Whitlock—4.

ABSENT ON LEAVE—Messrs. Wilkinson and Wade—2.

Mr. Kirk offered the following resolution,
Which was read and adopted:

Resolved, That the committee on elections be required to inquire of the Governor or Secretary of the Territory whether Samuel D. Houston, a member of this House, has resigned his seat as a member of this House, and report the same to this House.

Mr. Browne introduced a bill entitled
An act to incorporate the Douglas Town Company,
Which was read a first time, and,
On motion by Mr. Tebbs,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Anderson,
The rule was again suspended and the bill read a third time, and passed.
The rule requiring the ayes and noes having been suspended.

Mr. Weddle introduced a bill entitled
An act concerning ministers,

Which was read a first time, and,

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time, and

On motion by Mr. Anderson,

The bill was referred to a select committee, consisting of Messrs. Weddle, Mathias and Waterson.

Mr. Mathias introduced a bill entitled

An act to confirm and make valid certain acts of the Judge of the First District Court of the Territory of Kansas,

Which was read a first time, and,

On motion by Mr. Mathias,

The rule was suspended, and the bill read a second time, and

Referred to the committee on judiciary and criminal jurisprudence.

Mr. Marshall introduced a bill entitled

An act to prohibit incorporated companies from dealing in real estate,

Which was read a first time, and,

On motion by Mr. Marshall,

The rule was suspended, and the bill read a second time, and,

Referred to the committee on corporations.

On motion by Mr. Weddle,

The House adjourned.

EVENING SESSION.

The House met pursuant to adjournment.

The roll of the House was called.

Members Absent—Messrs. Anderson, Browne, Harris, Houston, Marshall, Payne, Waterson, Whitlock and Williams—9,

Absent on leave—Messrs. Wade and Wilkinson—2.

A quorum present.

On motion by Mr. McMeekin,

The Council bill entitled

An act to establish a territorial road from the town of Kickapoo, through the valley of Salt Creek, to the city of Leavenworth,

Was taken up,

Read a third time and passed.

The Council bill entitled

An act to establish a territorial road from Wyandott to Osawkee,
Was taken up,
Read a third time and passed.

Mr. Mathias, chairman of the select committee, to whom was referred the Governor's Message,
Reported adversely to the Governor's opinions, and recommended the repeal of all laws which are supposed to exist in force in the Territory.
The report was agreed to, and

On motion by Mr. Harris,
One thousand copies of the report was ordered to be printed.

Mr. Waterson offered the following resolution:

Resolved, That this House will not have any report of any committee printed, unless signed by all of said committee, (unless the same is already printed,) unless the same is ordered by a two thirds vote of all the members present.

On motion by Mr. Kirk,
The resolution was rejected.

Mr. Tebbs moved a reconsideration of the vote ordering one thousand copies of the report last made,
Which was lost,
By the following vote,

The ayes and noes having been demanded by Mr. Waterson:

AYES—Messrs. Banks, Blair, Browne, Hieskell, McGee, Payne, Scott, Tebbs, Waterson and Mr. Speaker—10.
NOES—Messrs. Anderson, Croysdale, Harris, Johnson, Kirk, Marshall, McMeekin, Ward, Williams and Younger—10.
Absent—Messrs. Houston, Weddle and Whitlock—3.
Absent on leave—Messrs. Wade and Wilkinson—2.
Mr. Mathias was excused from voting.

Council bills on first reading being the order of business,
The following bill was taken up, read a first time, and disposed of, as follows:

An act to incorporate the Engatah Association.

The question being upon the rejection of the House amendments reported by the committe,

Mr. Kirk demanded the ayes and noes.
The vote stood as follows:

AYES—Messrs. Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Tebbs, Ward, Mr. Speaker—9.
NOES—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskell, Payne, Scott, Wade, Weddle, Williams, Younger—13.

Absent—Messrs. Houston and Whitlock—2.
Absent on leave—Mr. Wilkinson.

Mr. Waterson was excused from voting.
So the amendment was not rejected.
The question then being upon agreeing to the amendments,
Mr. Tebbs asked for a call of the House.
Absent—Messrs. Marshall and Weddle.
On motion by Mr. Kirk,
The Sergeant-at-Arms was ordered to compel the attendance of the absentees.

The vote then recurring upon the original question,
Mr. Harris demanded the ayes and noes,
Which resulted as follows:

AYES.—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Payne, Scott, Wade, Weddle, Williams, Younger—12.
NOES.—Messrs. Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Tebbs, Ward, Mr. Speaker—10.
ABSENT—Messrs. Houston and Whitlock—2.
Absent on leave—Mr. Wilkinson.

Mr. Waterson was excused from voting.
So the amendment was agreed to.

Mr. Anderson offered the following amendment to section 1:
Strike out the names of "J. C. Anderson" and "S. A. Williams."
Mr. Tebbs moved that his name be stricken out.
Mr. Johnson offered as an amendment, that the names of "A. S. Johnson" and "W. A. Hieskell" be stricken out.
Mr. McGee moved that his name be stricken out.
Mr. Ward also moved that his name be stricken from the 1st section.
On motion by Mr. Mathias,
The bill was recommitted to the same committee.

Mr. Tebbs introduced a bill entitled
An act to incorporate the Osawkee Town Company.
Which was read a first time, and,
On his further motion,
The rule was suspended, and the bill read a second and third time, and passed.

Mr. McGee introduced a bill entitled
An act supplemental to an act entitled an act to define the boundaries of the several counties in the Territory of Kansas.
Which was read a first time, and,
Mr. Payne moved that the rule be suspended, and the bill read a second time.
Which was lost.

The first reading of Council bills being in order,
The following Council bills were read a first time, and severally disposed of, as follows:

An act to enable persons held in slavery to sue for their freedom.

On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Payne,
Referred to the committee on judiciary and criminal jurisprudence.

An act to prohibit the keeping of billiard tables.
On motion by Mr. Harris,
The bill was postponed indefinitely.

An act defining the punishment of offenses affecting public trust.
Mr. Blair moved that the rule be suspended, and the bill read a second time.
Which was lost.

An act defining the punishment of offenses affecting the security of persons and property.
On motion by Mr. Payne,
The bill was postponed indefinitely.

An act to establish the treasury department, and to define the powers and duties of Treasurer and Auditor.
On motion by Mr. Marshall,
The rule was suspended, and the bill read a second time, and
Referred to the committee on judiciary and criminal jurisprudence.

Message from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following concurrent resolution has passed the Council:

Be it resolved, By the Council, the House of Representatives concurring therein, that the constitution of the United States, and the spirit and genius of our government contemplate that the judiciary shall be, and is, free and independent of the control and supervision of the President, or the appointing power.

2. That the act known as the Nebraska and Kansas bill, approved the 30th May, 1854, clearly defines the tenure of the office of the judges of the Supreme Court of the Territory of Kansas, for the "period of four years, and until their successors shall be appointed and qualified."

3. That the tenure of office of the judges being thus fixed by law, the President has not the power or the right to remove at his will or pleasure, and that an attempt to do so is, in the opinion of this Legislature, a violation of law; and that it is the imperative duty of the legislative department of this Territory, and of all good citizens, to resist this flagrant usurpation of power, coming from whatsoever quarter it may.

On motion by Mr. Marshall,
The resolution just read from the Council was taken up and read a first time, and,
On motion by Mr. Speaker Stringfellow,
Mr. Watson in the chair,
Referred to the committee on judiciary and criminal jurisprudence.

Mr. Anderson, chairman of the committee on enrolled bills, reported as truly enrolled House bills of the following titles:

An act to establish a ferry at the mouth of the Kansas river, across said river.

An act to establish a ferry at the town of Delaware, in the Territory of Kansas.

An act appropriating certain funds for the support of common schools.

On motion by Mr. Tebbs,
The House adjourned.

TUESDAY MORNING, August 21, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery.

The journal of yesterday was read and approved.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 148, entitled
An act for the location and government of the penitentiary,
Reported the same back with the following amendments:
In section 1, after the words "town of," in the first line, insert "Lecompton," and in second line of same section, after the word "of," insert "Douglas."
In article 2, section 10, in second line, strike out the word "their," and insert "his."
In section 17, after the word "government," strike out the word "Secretary," and after the word "and" in fourth line, insert the word "probate," and after the word "attorney," in same line, insert the words "for the Territory," and in sixth line insert before the word "attorneys," the word "prosecuting."
In 8th line, strike out the word "lessees," and insert the word "superintendant."
And as amended recommended its passage.
The report was agreed to, and,
On motion by Mr. Weddle,
The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended, read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act providing for the appointment of constables, and prescribing their duties,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time, and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 147, entitled

An act to provide for the taking of the census of the people of the Territory of Kansas,

Reported the same back with the following amendments:

In section 2, insert after the word "appointed," the word "shall."

In section 3, strike out all between the word "Kansas," in the third line, and "deliver," in fourth line, and insert the word "thereafter."

And in section 4, strike out the word "thereafter," and insert "after the taking of said census."

In section 5, insert between "appointed" and "said," "to take," and after "shall" insert "each."

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended read a third time and passed.

Mr. Marshall, from the committee on corporations, to whom was referred House bill No. 155, entitled

An act to prohibit incorporated companies from dealing in real estate,

Reported the same back with the following amendment:

Add,

Sec. 2. That this act shall not be so construed as to prevent such railroad companies, and other corporations from holding and disposing of such dwellings and tenements as may be necessary for the president, officers, and employees of such railroad companies and corporations.

And as amended, recommended its passage.

The report was agreed to, and,

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act concerning jails and jailors,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Message from the Council, by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the following Council bills have passed the Council:

An act for the protection of married women.

An act to exempt from sale un execution certain lands and tenements.

An act concerning bills of exchange and negotiable promissory notes.

An act to declare the road leading from Fort Atkinson to Bent's old fort a territorial road.

An act to incorporate the Kaw River Telegraph Company.

An act to incorporate the Paola Town Company.

An act to incorporate the town of Delaware.

Also,

That the House amendments to the following Council bill has been adopted;

An act to regulate proceedings in criminal cases.

Also,

That the following House bills have passed the Council:

An act to incorporate the Kansas Mining Company, as amended.

An act to locate and establish a territorial road from Lewis' Point, on the Missouri river, to a point on Grasshopper creek, as amended:

An act to incorporate the Kansas University, as amended.

An act to regulate elections, as amended.

Also,

That the Council has disagreed to the House amendments to Council bill entitled

An act to provide for the election of Public Printer.

Also,

That House bill entitled

An act to exempt homesteads and certain other property from execution,

Has been laid on the table, and the Council herewith transmit a substitute, of the following title:

An act to exempt from sale on execution certain lands and tenements.

Also,

The following bills have been introduced into the Council:

An act to incorporate the Leavenworth Insurance Company.

An act taking off of the 6th, and adding to the 5th Council District.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 154, entitled

An act to confirm and make valid certain acts of the judge of the first district court of the Territory of Kansas,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and the bill read a third time and passed.

Mr. Weddle introduced a bill entitled

An act to establish a ferry.

Which was read a first time, and,

On motion by Mr. Kirk,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Wade,

Referred to the committee on roads and highways.

Mr. Payne introduced a bill entitled

An act to incorporate the Alexandria Town Company.

Which was read a first time, and,

On motion by Mr. Tebbs,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Harris,

The rule was again suspended, and the bill read a third time, and passed.

The rule requiring the ayes and noes,

On motion by Mr. Harris,

Having been suspended.

The House bill No. 157, entitled:

An act supplemental to an act entitled an act to define the boundaries of the several counties of the Territory of Kansas,

Was taken up, read a second time, and,

On motion by Mr. Kirk,

Referred to the committee on bounds of counties and districts.

Mr. Mathias introduced a bill entitled

An act to establish the statutes of the Territory of Kansas, and for other purposes.

Which was read a first time. and,

On motion by Mr. Harris,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Mathias,

Referred to the joint committee of Council and House to prepare a code of laws.

The reading of bills and other business lying on the table being in order, the following House bills returned by the Council, with amendments, were taken up, and severally disposed of, as follows:

An act to prevent obstructions across the Big Sugar creek.

The Council amendment was read a first time, and,

On motion by Mr. Kirk,

The rule was suspended, and the amendment read a second and third time, and agreed to.

An act to authorize James Findley to establish a bridge across the Wakarusa river.

The Council amendment insisted on by the Council was read a first time, and,

On motion by Mr. Weddle,

The House adhered to its disagreement to Council amendment.

An act to incorporate the Kansas Mining Company.

The Council amendment was read a first time, and,

On motion by Mr. Kirk,

The rule was suspended, and the amendment read a second and third time and agreed to.

An act to incorporate the Kansas University.

The Council amendment was read a first time, and,

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second and third time, and agreed to.

An act to provide for paying the clerks of the Legislative Assembly of the Territory of Kansas.

The House amendment to Council amendment, disagreed to by the Council, was read.

Mr. Mathias moved that the House insist on its amendment.

Which was lost, by the following vote,

Mr. Browne having demanded the ayes and noes:

Ayes.—Messrs. Mathias, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson—8.

Noes—Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, McGee, Whitlock, Williams, Wilkinson, Weddle—14.

Absent—Messrs. Croysdale, Houston, Younger, and Mr. Speaker—4.

The question then being upon receding from the House amendment,
Mr. Wilkinson called for the ayes and noes:

Ayes—Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, McGee. Payne, Scott, Waterson, Weddle, Whitlock, Williams, Younger—17.

Noes—Messrs. Mathias, McMeekin, Tebbs, Wade, Ward, Wilkinson—6.

Absent—Messrs. Croysdale, Houston, and Mr. Speaker—3.

So the House receded from its amendment.

An act to locate and establish a territorial road from Lewis' Point, on the Missouri river, to a point on Grasshopper creek.

The Council amendment was read a first time, and,

On motion by Mr. Kirk,

The amendment was disagreed to.

An act to regulate elections.

The Council amendment to section 6 was read a first time, and,

On motion by Mr. Marshall,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Weddle,

The rule was again suspended, and the amendment read a third time, and agreed to.

The Council amendment to section 5 was read a first time, and.

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Weddle,

The rule was again suspended, and the amendment read a third time, and agreed to.

Council amendment to section 7 was read a first time, and,

On motion by Mr. Marshall,

The rule was suspended, and the amendment read a second and third time, and agreed to.

The Council amendment to section 9 was read a first time, and,

On motion by Mr. Weddle,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Wade,

The rule was again suspended, and the Council amendment read a third time, and agreed to.

The Council amendment to section 10 was read a first time, and,

On motion by Mr. Wade,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Marshall,

The rule was again suspended, and the amendment read a third time, and agreed to.

Council amendment to first part of section 11 was read a first time, and,
On motion by Mr. Weddle,
The rule was suspended, and the amendment read a second and third time, and agreed to.

The second Council amendment to section 11 was read a first time, and,
On motion by Mr. Johnson,
The rule was suspended, and the amendment read a second and third time, and agreed to.
On motion by Mr. Marshall,
The vote was reconsidered.
Mr. Marshall then offered the following amendment to section 11:
Insert after the word "vote," in 9th line, as follows: "By reason of being on service therein."
Which was read a first time, and,
On motion by Mr. Johnson,
The rule was suspended, and the amendment read a second and third time, and agreed to.
The section as amended was then agreed to.

The Council amendment to section 12 was read a first time, and,
On motion by Mr. Weddle,
The rule was suspended, and the amendment read a second and third time, and agreed to.

The Council amendment to section 36 was read a first time, and,
On motion by Mr. Marshall,
The rule was suspended, and the amendment read a second time, and,
On motion by Mr. Wade,
The rule was again suspended, and the amendment read a third time, and agreed to.

The Council amendment to section 35 was read a first time, and
The rule suspended, and the amendment read a second and third time, and agreed to.

The Council amendment requiring "all elections to be held by ballot," was read a first time.
Mr. Marshall moved that the House disagree to the amendment,
Which was agreed to, by the following vote,
Mr. Weddle having demanded the ayes and noes:

AYES—Messrs. Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Tebbs, Ward, Whitlock, Williams, Mr. Speaker—15.
NOES—Messrs. Anderson, Banks, Blair, Croysdale, Scott, Wade, Waterson, Weddle, Wilkinson, Younger—10.
Absent—Mr. Houston.

On motion by Mr. Marshall,
The vote agreeing to Council amendment to section 9 was reconsidered.
On his further motion,
The amendment was disagreed to.

Also, the Council bills entitled:

An act concerning witnesses.
The House amendment, disagreed to by the Council,
On motion by Mr. Weddle,
Was receded from by the House.

An act to provide for the election of Public Printer.
The House amendment, disagreed to by the Council,
On motion by Mr. Marshall,
Was insisted upon by the House.

Mr. Speaker Stringfellow (Mr. Waterson in the chair) introduced a bill entitled
An act to incorporate the Indianola Town Company.
Which was read a first time.
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and.
On motion by Mr. Marshall,
The rule was again suspended, the bill considered as engrossed, read a third time, and passed,
The rule requiring the ayes and noes having been suspended.

On motion by Mr. McMeekin,
The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

On motion by Mr. Marshall,
The Council bill entitled
An act to provide for the collection of revenue,
Wwas taken up, and read a first time, and,
On motion by Mr. Marshall,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on judiciary and criminal jurisprudence.

Mr. Wilkinson, from the committee on enrolled bills, reported as truly enrolled House bill entitled
An act respecting vagrants.

Mr. Waterson, chairman of the committee on corporations, to whom was referred House bill No. 72, entitled
An act to authorise John B. Chapman and others, to construct a railroad from Wyandott city, in Kansas Territory, to the town of Saline,
Reported the same back, and recommended its rejection,
And also reported a substitute of the following title:
An act to incorporate the Kansas River Railroad company,

And recommended its passage.
The report was agreed to, and
The substitute was read a first time, and,
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Tebbs,
The rules were again suspended, and the bill read a third time, and passed,
By the following vote:

AYES—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskell, Marshall, McGee, Tebbs, Ward, Waterson, Weddle and Whitlock—14.

NOES—Messrs. Kirk, McMeekin, Payne, Williams and Wilkinson—5.

Absent—Messrs. Houston, Johnson, Mathias, Scott, Wade, Younger and and Mr. Speaker—7.

Mr. Croysdale, chairman of the select committee, to whom was referred House bill entitled

An act to permanently establish a Medical College at the town of Lecompton,

Reported the same back,
And recommended its rejection.
And offered a substitititute of the same title,
And recommended its passage.
The report was agreed to, and,
The bill was read a first time, and,
On motion by Mr. Mathias,
The rule was suspended and the bill read a second time, and,
On motion by Mr. Waterson,
The rule was again suspended, and the bill considered as engrossed,
Read a third time, and passed,
The rule requiring the ayes and noes,
Having been suspended.

The committee on judiciary and criminal jurisprudence, made the following report:

MR. SPEAKER:

The committee on judiciary and criminal jurisprudence, to whom was referred Council concurrent resolution, in regard to the independency of the judiciary, have had the same under consideration, and beg leave to report as follows:

A majority of the committee, whilst they recognize the principles set forth in said resolution, think the language contained in the third resolution, is a little too strong, and would recommend the following as a substitute for said resolution:

"That the tenure of office of the Judges being fixed as we believe by law, the President should not assume the power or the right to remove at his will or pleasure, and so to do, in the opinion of this Legislature, is a violation of law; and we believe it to be the duty of the *Legislative* department to declare its regret that the President should have pursued the course in the removal of the Associate Judges of this Territory."

The committee further recommend such an alteration in the first clause of the resolution, so as to make it read as follows:

" *Be it Resolved*, By the Council, the House of Representatives of the Territory of Kansas concurring therein."

WM. G. MATHIAS, *Chairman.*
JOS. C. ANDERSON,
S. A. WILLIAMS,
F. J. MARSHALL.

The report was agreed to, and,
On motion by Mr. Waterson,
The rule was suspended, and the amendment read a second time.

The question then being upon the adoption of the amendment,
It was decided in the negative.

The question then being upon the adoption of the original resolution,

Mr. Tebbs offered as an amendment, that the word "flagrant" be stricken out.

Mr. Speaker Stringfellow, (Mr. Waterson in the Chair,)
Offered as a substitute, to strike out the last clause after the word " law,"
Which was read a first time.

Mr. Tebbs then withdrew his amendment.

On motion by Mr. Speaker Stringfellow,
The rule was suspended, and the amendment read a second time.

The question then being upon agreeing to the amendment,
It was decided in the affirmative,
By the following vote :

Mr. Speaker Stringfellow (Mr. Waterson in the chair)
Having demanded the ayes and noes:

AYES—Messrs. Anderson, Banks, Croysdale, Harris, Hieskell, Marshall, Mathias, Ward, Waterson, Williams, Wilkinson, Younger and Mr. Speaker—13.
NOES—Messrs. Blair, Browne, McGee, McMeekin, Payne, Scott, Tellbs, Wade, Weddle and Whitlock—10.
Absent—Messrs. Houston, Johnson and Kirk.

The vote then recurring upon the adoption of the original resolution, as as amended,
It was passed by the following vote,
Mr. Marshall having demanded the ayes and noes :

AYES—Messrs. Anderson, Banks, Blair, Browne, Croysdale, Harris, Hieskell, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—23.
Absent—Messrs. Houston, Johnson and Kirk—3.

On motion by Mr. McGee,
The House adjourned.

WEDNESDAY MORNING, AUGUST 22, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

Mr. Speaker Stringfellow, (Mr. Anderson in the chair,)
Introduced a bill entitled
An act supplementary to an act entitled
An act to incorporate the Atchison Town Company,
Which was read a first time.
On his further motion,
The rule was suspended, and the bill read a second and third time and passed,
The rule requiring the ayes and noes having been suspended,
On motion by Mr. Speaker Stringfellow,

On leave, Mr. Blair introduced a bill entitled
An act to establish a Ferry across the Kansas river, opposite the town of Lecompton,
Which was read a first time, and,
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and,
Mr. Waterson moved that the rule be suspended, and the bill considered as engrossed, and read a third time,
Which was lost.

On motion by Mr. Tebbs,
The bill was referred to the committee on roads and highways.

Mr. Wilkinson, from the committee on enrolled bills, reported as truly enrolled, House bills of the following titles:
An act to provide for the call of a Convention to form a State Constitution.
An act to incorporate a ferry across the Kansas river at the town of Lawrence.

On leave, Mr. Mathias introduced a bill entitled
An act to incorporate the Port William Town Company,
Which was read a first time, and,
On his further motion,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Weddle,
Referred to the committee on corporations.

On leave, Mr. Scott introduced a bill entitled
An act to exempt certain property,
Which was read a first time, and,
On motion by Mr. Wade,
The rule was suspended, the bill read a second time, and
On motion by Mr. Weddle,

Referred to the committee on judiciary and criminal jurisprudence.

Mr. Mathias, on leave, introduced a bill entitled

An act to establish a ferry at the town of Port William, in the Territory of Kansas,

Which was read a first time, and,

On motion by Mr. Mathias,

The rule was suspended, and the bill read a second time, and,

Referred to the committee on corporations.

Mr. Kirk, from the committee on roads and highways, to whom was referred Council bill entitled

An act to incorporate a Ferry at the town of Palermo, in the Territory of Kansas,

Reported the same back with the following amendment:

Amend by striking out 6th section.

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Blair,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended read a third time and passed,

The rule requiring the ayes and noes having been suspended,

On motion by Mr. Kirk.

Mr. Harris, chairman of the committee on roads and highways, to whom was referred House bill No. 159, entitled

An act to establish a ferry,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act to establish a probate court, with the powers and duties of a board of commissioners, and to define its jurisdic ion,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time, and passed.

Mr. Hieskell, from the committee on engrossed bills, reported as truly engrossed, House bill 134, entitled

An act concerning field notes of public surveys.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act to provide for the collection of revenue,

Reported the same back with the following amendments:

In sec. 3, line 4, strike out "twenty-five," and insert "fifty."

And as amended, recommended its passage.

The report was agreed to, and,

On motion by Mr. Hieskell,

The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred Council bill No. 103, entitled

An act relative to fugitives from other states,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and,

The bill read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act to establish the Treasury Department, and to define the powers and duties of treasurer and auditor,

Reported the same back without amendment and recommended its passage.

The report was agreed to, and

The bill was read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence to whom was referred Council bill entitled

An act to enable persons held in slavery to sue for their freedom,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to,

And the bill read a third time and passed.

On motion by Mr. Mathias,

The vote agreeing to Council amendment, to House bill entitled

An act to incorporate the Kansas University,

Was reconsidered by the House.

On motion by Mr. Waterson,

The House bill entitled

An act to regulate elections,

Was taken up,

The Council amendment to sec. 4. was read a first time, and,

On motion by Mr. Waterson,

The rule was again suspended, and the amendment read a second and third time.

Mr. Speaker Stringfellow,

Mr. Anderson in the chair,

Moved that the House disagree to the amendment.

Mr. Waterson demanded the ayes and noes:

Mr. Speaker Stringfellow asked for a call of the House,

Which was agreed to.

Members Absent—Messrs. Banks, Browne, Houston, Johnson, Marshall, McMeekin and Payne—7.

On motion by Mr. Speaker Stringfellow,

The Sergeant-at-arms was ordered to bring in absent members.

The vote then being upon the motion to reject the amendment,

Resulted as follows;

Ayes—Messrs. Anderson, Browne, Croysdale, Tebbs, Whitlock, Williams and Mr. Speaker—7.

Noes—Messrs. Blair, Harris, Hieskell, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Wade, Ward, Waterson, Weddle, Wilkinson and Younger—15.

Absent—Messrs. Banks, Houston, and Marshall—3.

Absent on leave—Mr. Johnson.

So the motion was lost.

On motion by Mr. Harris,
Leave of absence was granted to Mr. Banks for one day.

On motion by Mr. Waterson,
The rule was suspended, and the amendment read a third time and agreed to.

Mr. Whitlock introduced a bill entitled
An act entitled an act to establish a territorial road, &c.,
Which was read a first time, and,
On motion by Mr. Whitlock,
The rule was suspended, and the bill read a second time, and
On motion by Mr. Mathias,
Referred to the committee on roads and highways.

Mr. Blair introduced a bill entitled
An act to encourage agriculture in the Territory of Kansas,
Which was read a first time, and,
On motion by Mr. Whitlock,
The rule was suspended, and the bill read a second time, and
On motion by Mr. Mathias,
Referred to the committee on agriculture.

Mr. Croysdale introduced a bill entitled
An act to regulate the practice of medicine in Kansas Territory,
Which was read a first time, and,
On motion by Mr. Harris,
The rule was suspended, and the bill read a second time, and
Referred to a select committee, consisting of Messrs. Harris, Croysdale and Tebbs.

House bill No. 134, entitled
An act concerning field notes,
Was taken up,
Read a third time and passed.

The reading of bills and other business from the Council being in order,
The Council concurrent resolution to meet in joint session, on the 25th instant, for the election of officers,
Was read a first time, and,
On motion by Mr. Harris,
The rule was suspended, and the resolution read a second time, and agreed to.

The Council concurrent resolution in relation to the appointment of a joint committee to confer with the tribe of Delaware Indians, in regard to a new treaty,

Was read a first time, and,

On motion by Mr. Harris,

The rule was suspended and the resolution read a second time and agreed to.

The chair appointed

Messrs. Waterson, Marshall and Hieskell.

The chair also appointed

Messrs. Marshall and Williams, as a committee on the part of the House, in pursuance of a resolution requiring the appointment of a joint committee for the purpose of apportioning and dividing the Territory into Council and Representative Districts.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the following House bills:

An act to grant pre-emptions on school lands, in certain cases, with amendments.

An act supplemental to an act defining the boundaries of Atchison county.

An act to establish a road from Willow Springs to Douglas, in the Territory of Kansas.

An act to incorporate the Calhoun Town Company.

An act for the relief of debtors.

An act to provide for the establishment of common schools.

An act to incorporate the Osawkee Town Company.

An act supplemental to an act to establish a territorial road from a point opposite Boston, Missouri, to a point on the California road, at or near the Half-way Grove, in the Territory of Kansas.

An act to provide for the punishment of offenses against the public health.

Also,

House concurrent resolution in regard to both Houses being furnished with the titles of all bills,

Has been adopted.

An act to define the boundaries of the several counties in the Territory of Kansas, as amended.

Also,

That the following Council bills have passed the Council:

An act in relation to certain citizens.

An act to incorporate the Leavenworth Insurance Company.

An act concerning mills and millers has been laid on the table, and a Council substitute of the same title is herewith transmitted.

An act to establish the office of district attorney, and to define his duties.
An act defining the meaning of certain words.
An act to incorporate the town of Delaware.
An act providing for a system of confinement and hard labor.
Also,
That the Council has concurred in House amendments to the Council bill entitled
An act to restrict dramshops and taverns, and to regulate the sale of intoxicating liquors.
Also,
That the following bills have been introduced into the Council:
An act to organize, discipline, and govern the militia of the Territory.

The following Council bill was read a second time:
An act defining the punishment of offenses affecting public trust.
Mr. Kirk moved to refer the bill to the committee on judiciary.
Which was lost.
On motion by Mr. Wilkinson,
The bill was considered as engrossed, the rule suspended, and the bill read a third time and passed.

The following Council bills were read a first time:

An act providing for the office of sheriff, and prescribing his duties.
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Mathias,
Referred to the committee on judiciary and criminal jurisprudence.

An act to incorporate the Paola Town Company.
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Waterson,
The bill was considered as engrossed, the rule suspended, and the bill read a third time and passed.
The rule requiring the ayes and noes,
On motion by Mr. Payne,
Having been suspended.

An act to provide for filling vacancies in the Legislative Assembly.
On motion by Mr. Wilkinson,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Mathias,
The bill was considered as engrossed, the bill read a third time, and passed.

An act to provide for the removal of seats of justice in certain cases.
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Blair,
The rule was again suspended, and the bill read a third time.
Mr. McMeekin offered the following amendment:
Amend section 2, by inserting "a majority of all the qualified voters."
Which was read a first time.

Mr. Harris moved to reject the amendment.
Mr. McMeekin called for the ayes and noes:

AYES—Messrs. Anderson, Blair, Browne, Harris, Hiskell, Kirk, Marshall, Scott, Tebbs, Ward, Williams, and Mr. Speaker—12.
NOES—Messrs. Croysdale, Mathias, McGee, McMeekin, Payne, Wade, Waterson, Whitlock, Wilkinson—9.
Absent—Messrs. Houston, Younger and Weddle—3.
Absent on leave—Messrs. Banks and Johnson—2.

So the amendment was rejected.

Mr. Waterson moved that the bill be recommitted.

On motion by Mr. Croysdale,
The House adjourned.

EVENING SESSION.

The House met, pursuant to adjournment.

On motion by Mr. McGee,
The roll of the House was called.

Members absent—Messrs. Banks, Browne, Croysdale, Kirk, Mathias, Williams, Wilkinson, Younger—8.

The question then recurring upon the motion to refer the Council bill entitled,
An act to provide for the removal of seats of justice in certain cases.
Mr. Waterson withdrew his motion to refer.
Mr. McMeekin offered the following amendment to section 2:
Amend by inserting, "that a majority of the qualified voters of each county shall be sufficient to remove a seat of justice established by the Legislature; but when fixed by a majority of the qualified voters, three-fourths of the vote shall be necessary."
Which was read a first time.
Mr. Waterson moved a suspension of the rules, and that the amendment be read a second time.
Which was lost, by the following vote,
Mr. McMeekin having demanded the ayes and noes:

AYES—Messrs. Anderson, Marshall, McMeekin, Payne, Wade, Ward, Waterson, Whitlock, Wilkinson, Younger—10.
NOES—Messrs. Blair, Browne, Harris, Hiskell, Johnson, Kirk, McGee, Scott, Tebbs, Williams—10.
Absent—Messrs. Croysdale, Houston, Mathias, Weddle, Mr. Speaker—5.
Absent on leave—Mr. Banks.

Mr. McMeekin moved to refer the bill to a select committee.
Which was lost.

Mr. Waterson moved to lay the bill on the table.
The motion was lost by the following vote,
Mr. Kirk having demanded the ayes and noes:

Ayes—Messrs. McMeekin, Waterson, Whitlock, Wilkinson, Younger—5.
Noes—Messrs. Anderson, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, McGee, Payne, Scott, Tebbs, Wade, Ward, Williams, and Mr. Speaker—16.
Absent—Messrs. Croysdale, Houston, Mathias, and Weddle—4.
Absent on leave—Mr. Banks.

On motion by Mr. McMeekin,
The bill was rejected, by the following vote,
Mr. Hieskell having demanded the ayes and noes:

Ayes—Messrs. Anderson, Blair, Harris, Hieskell, Johnson, Kirk, Marshall, McMeekin, Payne, Scott, Tebbs, Ward, Whitlock, Williams—14.
Noes—Messrs. Banks, Browne, McGee, Wade, Waterson, Wilkinson, and Younger—7.
Absent—Messrs. Croysdale, Houston, Mathias, Weddle, Mr. Speaker—5.

The following Council bills were read a first time:

An act to incorporate the Alexandria Coal Mining Company.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Payne,
Referred to the committee on corporations.

An act to provide for taking the census of the Territory.
On motion by Mr. Tebbs,
The bill was rejected.

An act providing for commissioner of the permanent seat of government.
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and
Referred to the committee on seat of government.

An act regulating writs and process.
On motion by Mr. Payne,
The rule was suspended, and the bill read a second time, and
On motion by Mr. Weddle,
Referred to the committee on judiciary and criminal jurisprudence.

An act concerning writs of *quo warranto*.
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and
Referred to the committee on judiciary and criminal jurisprudence.

An act defining the punishment of crimes affecting currency, records, and securities, public and private.
On motion by Mr. McGee,

The rule was suspended, and the bill read a second time, and,
On motion by Mr. Waterson,
Referred to the committee on judiciary and criminal jurisprudence.

An act in relation to the general provisions regulating crimes and punishments.
On motion by Mr. Payne,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. McGee,
Referred to the committee on judiciary and criminal jurisprudence.

An act defining the punishment of offenses against the public morals and decency.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Payne,
Referred to the committee on judiciary and criminal jurisprudence.

An act to regulate actions on penal bonds.
On motion by Mr. McGee,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. McMeekin,
Referred to the committee on judiciary and criminal jurisprudence.

An act to establish a territorial road from the Missouri State line, near Turkey creek bridge, to intersect the Westport and Lawrence road, near the Gum Springs.
On motion by Mr. McMeekin,
The bill was rejected.

On leave, Mr. McMeekin introduted a bill entitled
An act to incorporate the Leavenworth Bank of Kansas Territory.
On motion by Mr. Payne,
The rule was suspended, and the bill read a second time, and,
Referred to a select committee, consisting of Messrs. McMeekin, Marshall, and Williams.

Mr. Kirk introduced a bill entitled
An act prescribing certain regulations touching territorial roads.
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Marshall,
The rule was again suspended, and the bill considered as engrossed, and read a third time, and passed.

Mr. Marshall introduced a bill entitled
An act to incorporate the city of Lecompton.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Marshall,
The bill was considered as engrossed, the rule suspended, and the bill read a third time, and passed, by the following vote:

AYES—Messrs. Anderson, Banks, Blair, Browne, Hieskell, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Williams—17.

NOES—Mr. Wilkinson.

Absent—Messrs. Croysdale, Harris, Houston, McGee, Whitlock, Younger, and Mr. Speaker—7.

Absent on leave—Mr. Johnson.

Mr. Marshall introduced a bill entitled

An act supplemental to an act entitled an act to provide for the collection of the revenue.

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time.

Mr. McMeekin offered the following amendment:

Amend by inserting "fifty cents," and strike out "one dollar."

Which was read a first time, and,

On motion by Mr. McGee,

The amendment was rejected.

Mr. Wilkinson moved that the rules be again suspended, and the bill read a third time.

Which was lost by the following vote,

Mr. Kirk having demanded the ayes and noes:

AYES.—Messrs. Browne, Hieskell, McGee, McMeekin, Payne, Scott, Wade, Ward, Weddle, Williams, Wilkinson—11.

NOES.—Messrs. Anderson, Banks, Blair, Kirk,, Marshall, Waterson, Mr. Speaker—7.

ABSENT—Messrs. Croysdale, Harris, Houston, Mathias, Tebbs, Whitlock, Younger—7.

Excused from voting—Mr. Johnson.

On motion by Mr. Weddle,

The bill was referred to the committee on finance.

Council bills read first time:

An act for the regulation and management of the territorial library.

On motion by Mr. Payne,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. McGee,

Referred to the committee on judiciary and criminal jurisprudence.

An act concerning landlord and tenant.

On motion by Mr. Wade,

The rule was suspended, and the bill read a second time, and

Referred to the committee on judiciary and criminal jurisprudence.

An act authorizing the Council and House of Representatives to punish for contempts, and for other purposes.

On motion by Mr. Payne,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. McGee,

Referred to the committee on judiciary and criminal jurisprudence.

An act defining punishments for crimes affecting the administration of justice.
On motion by Mr. Williams,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. McMeekin,
Referred to the committee on judiciary and criminal jurisprudence.

An act to declare a road leading from Gerard's old crossing on the Big Osage river, by way of Kleitone, to the mouth of Salt fork of the Arkansas river.
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. McGee,
Referred to the committee on roads and highways.

An act concerning crimes and the punishment of offenses against the persons of individuals.
On motion by Mr. Payne,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Wilkinson,
Referred to the committee on judiciary and criminal jurisprudence.

An act to regulate executions.
On motion by Mr. Weudle,
The rule was suspended, and the bill read a second time, and
Referred to the committee on judiciary and criminal jurisprudence.

An act for the protection of married women.
On motion by Mr. McMeekin,
The rule was suspended, and the bill read a second time, and
Referred to the committee on judiciary and criminal jurisprudence.

An act to exempt from sale on execution certain lands and tenements.
On motion by Mr. McMeekin,
The rule was suspended, and the bill read a second time, and
Referred to a select committee, consisting of Messrs. McMeekin, Waterson, and Payne.

An act regulating judgments and decrees.
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and
Referred to the committee on judiciary and criminal jurisprudence.

An act concerning bills of exchange and negotiable promissory notes.
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and
Referred to committee on judiciary and criminal jurisprudence.

An act fixing the time of meeting of the Legislative Assembly.
On motion by Mr. McMeekin,
The rule was suspended, and the bill read a second time.
Mr. McMeekin offered the following amendment:
Amend section 1 by inserting, "second Monday in January, 1857."

Which was read a first time, the rule suspended, and the amendment read a second time, and agreed to.

On motion by Mr. McMeekin,

The bill was referred to the committee on judiciary and criminal jurisprudence.

An act regulating practice in the Supreme Court.

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Weddle,

Referred to the committee on judiciary and criminal jurisprudence.

An act respecting notaries public.

On motion by Mr. McMeekin,

The rule was suspended, and the bill read a second time, and

Referred to the committee on judiciary and criminal jurisprudence.

An act concerning guardians and curators.

On motion by Mr. Whitlock,

The rule was suspended, and the bill read a second time, and

Referred to the committee on judiciary and criminal jurisprudence.

An act defining the punishment for crimes affecting property, public and private.

On motion by Mr. Blair,

The rule was suspended, and the bill read a second time, and

Referred to the committee on judiciary and criminal jurisprudence.

An act to incorporate the Kaw River Telegraph Company.

On motion by Mr. McMeekin,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Wade,

Referred to the committee on corporations.

An act to declare the road leading from Fort Atkinson to Bent's old fort a territorial road.

On motion by Mr. Kirk,

The rule was suspendeded, and the bill read a second time, considered as engrossed, read a third time, and passed.

An act relative to insane persons.

On motion by Mr. McGee,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Wilkinson,

Referred to the committee on judiciary and criminal jurisprudence.

An act to incorporate the Historical and Philosophical Society of Kansas.

On motion by Mr. Wade,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Blair,

Referred to the committee on corporations.

An act to declare a road leading from Fort Riley to the Missouri State line, at or near Phillips' crossing on the Upper [illegible], a territorial road.

On motion by Mr. Williams,

The rule was suspended, and the bill read a second time, considered as engrossed, read a third time, and passed.

An act to incorporate the Leavenworth Jail Association.
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time.
Mr. McMeekin moved that the rules be suspended, and the bill read a third time.
Which was agreed to, by the following vote,
Mr. McMeekin having demanded the ayes and noes:

Ayes—Messrs. Anderson, Banks, Blair, Browne, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Younger—18.
Noes—Messrs. Williams and Wilkinson—2.
Absent—Messrs. Croysdale, Harris, Hieskell, Houston, Marshall, and Mr. Speaker—6.

The bill was then read a third time.
Mr. Williams moved to refer the bill to the commmittee on corporations.
Which was lost.
On motion by Mr. Mathias,
The bill was referred to the committee on judiciary and criminal jurisprudence.

An act to recover public records.
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Johnson,
Referred to the committee on judiciary and criminal jurisprudence.

An act concerning mortgages.
On motion by Mr. Williams,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on corporations.

An act regulating proceedings on the writ of *habeas corpus.*
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on bounds of counties and districts.

An act concerning dower.
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Waterson,
Referred to the committee on bounds of counties and districts.

An act respecting aliens.
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on elections.

An act concerning [illegible]
On motion by Mr. Wade,

The rule was suspended, and the bill read a second time, and,
On motion by Mr. McMeekin,
Referred to a select committee of three, consisting of Messrs. McMeekin, Johnson, and Younger.

An act concerning the plats of towns and villages.
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and
On motion by Mr. Williams,
Referred to the committee on corporations.

An act to prevent certain trespasses.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Payne,
The bill was referred to a select committee, consisting of Messrs. Payne, Williams, and Tebbs.

An act to provide for building bridges.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Wade,
Referred to the committee on roads and highways.

On motion by Mr. Weddle,
The vote referring to a select committee the bill entitled
An act concerning gaming,
Was reconsidered.
On motion by Mr. Waterson,
The bill was referred to a select committee of four, consisting of Messrs. McMeekin, Johnson, Younger, and Wilkinson.

An act prescribing the jurisdiction and terms of the district court.
On motion by Mr. Williams,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on judiciary and criminal jurisprudence.

An act to establish the office of district attorney, and to define their duties.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Williams,
Referred to the committee on judiciary and criminal jurisprudence.

An act in relation to certain citizens.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Williams,
Referred to the committee on judiciary and criminal jurisprudence.

An act to incorporate the Leavenworth Insurance Company.
On motion by Mr. Kirk,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Williams,
Referred to the committee on corporations.

An act defining the meaning of certain words.
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, considered as engrossed, the rule suspended, read a third time and passed.

An act providing a system of confinement and hard labor.
On motion by Mr. Williams,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Johnson,
Referred to the committee on judiciary and criminal jurisprudence.

An act to incorporate the town of Delaware.
On motion by Mr. Williams,
The rule was suspended, and the bill read a second time, and,
Considered as engrossed, and read a third time and passed,
The rule requiring the ayes and noes having been suspended.

Council substitute to House bill No. 143, entitled
An act concerning mills and millers,
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The rules were suspended, and the bill read a second time, and
Referred to a committee of one, consisting of Mr. Weddle.

An act concerning patrols,
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on judiciary and criminal jurisprudence.

An act providing for change of venue in civil cases,
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on Judiciary and criminal jurisprudence.

Mr. Browne presented the petition of Messrs. Wm. McKinney, J. R. McKinney, Reuben Hackett, George Bowen and others, praying the re-location of the seat of Justice of Douglas county.

On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The petition was referred to the committee on bounds of counties and districts.

Mr. Browne, on leave, introduced a bill entitled
An act authorizing the re-locating the seat of justice of Douglas county.

On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The rule was suspended, and the bill read a second time,
Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
Moved to refer the bill to the committee on bounds of counties and districts, with instructions to report adversely,
Which was lost
By the following vote:

The ayes and noes having been demanded by Mr. Browne:

AYES—Messrs. Marshall, Mathias, McMeekin, Payne and Scott—5.

NOES—Messrs. Anderson, Banks, Blair, Browne, Johnson, Kirk, Wade, Ward, Waterson, Weddle, Whitlock, Wilkinson, Younger and Mr. Speaker—14.

ABSENT—Messrs. Croysdale, Harris, Hieskell, Houston, McGee, Tebbs and Williams—7.

On motion by Mr. Browne,
The bill was referred to the committee on bounds of counties and districts.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed the following enrolled Council bills:

An act to incorporate the Doniphan Town Company.
An act to provide for the support of the poor.
An act giving meaning to the word State.
An act to incorporate the city of Pawnee.
An act to incorporate a ferry in the Territory of Kansas, opposite the town of Iatan, in Missouri.
An act establishing a ferry at the town of Doniphan, Kansas Territory.
An designating the pay of officers.
An act supplemental to an act entitled
An act to incorporate the city of Kickapoo.
An act concerning boatmen.
An act concerning the action of replevin.
An act to organize the county of Arapahoe, in the Territory of Kansas.

Also,
Enrolled House bills of the following titles:

An act appropriating certain funds for the support of common schools.
An act to establish a ferry at the town of Delaware, in the Territory of Kansas.
An act respecting vagrants.
An act to establish a ferry at the mouth of the Kansas river across said river.

On motion by Mr. McMeekin,
The House adjourned.

TUESDAY MORNING, AUGUST 23, 1855.

House met, pursuant to adjournment

Prayer by Rev. Mr. Peery.

The journal of yesterday was read and approved.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act regulating writs and processes,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time, and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act to recover the public records,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and,
The bill read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act providing for change of venue in civil cases,
Reported the same back without amendment and recommended its passage.
The report was agreed to, and
The bill was read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act concerning patrols,
Reported the same back without amendment.
And recommended its passage.
The report was agreed to,
And the bill read a third time and passed.

Mr. Tebbs, chairman of the committee on seat of government, to whom was referred Council bill entitled
An act providing for a commissioner of a permanent seat of government,
Reported the same back,
And recommended its rejection.
The report was agreed to, and,
The bill rejected.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred House bill No. 116, entitled
An act concerning writs of *quo warranto*,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and

The bill read a third time and passed.

Mr. Kirk, from the committee on roads and highways, to whom was referred Council bill entitled
An act to provide for building bridges,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act in relation to certain citizens,
Reported the same back without amendment,
And recommend its passage.
The report was agreed to, and
And the bill read a third time and passed.

Mr. Mathias, from the same committee, to whom was referred Council bill entitled
An act providing a system of confinement and hard labor,
Reported the same back with the following amendments:
And as amended, recommended its passage.
Amend by adding to the last section,
This act shall not be so construed as to subject females to hard labor.
And as amended recommended its passage.
The report was agreed to, and
On motion by Mr. Wade,
The rule was suspended, and the amendment read a second time, and agreed to, and,
The bill as amended read a third time and passed.

Mr. Banks, chairman of the committee on agriculture, to whom was referred House bill 170, entitled
An act to encourage agriculture in the Territory of Kansas,
Reported the same back without amendment,
And recommeded its passage.
The report was agreed to,
And the bill was read a third time and passed.

Mr. Hieskell, from the committee on finance, to whom was referred House bill No. 175, entitled
An act supplemental to an act entitled
An act to provide for the collection of revenue,
Reported the same back with the following amendments;
Amend by adding the following after section 1:

Sec. 2. The Sheriff of each county, within ten days after the said first Monday in October, A. D. 1855, make out and file in the office of the clerk of his county, a list of all persons who have paid the tax named in the first section of this act, with the amount paid by each person, which list shall be verified by oath or affirmation of said sheriff.

Sec. 3. The clerk of each county shall, within five days after recieving the said list from the said sheriff, transmit to the Auditor of public accounts, a certified statement of the amount recieved by the sheriff of his county as poll tax, under this act, in order that the same be charged to, and accounted for by the said sheriff, as other revenue is required by law to be accounted for, and the sheriff of each county shall be required, to pay the said revenue into the Treasury, on or before the first Monday in December, 1855,

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Weddle,

The rule was suspended, and the amendments read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Banks, chairman of the committee on agriculture, to whom was referred Council bill entitled

An act to regulate marks and brands,

Reported the same back and recommended its rejection.

The report was agreed to, and,

The bill was rejected.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled

An act to incorporate the Kaw River Telegraph Company,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and,

The bill was read a third time and passed,

The rule requiring the ayes and noes having been suspended.

Mr. Waterson, chairman of the same committee, to whom was referred House bill No. 166, entitled

An act to incorporate the Port William Town Company,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to, and the bill

Read a third time, and passed,

The rule requiring the ayes and noes,

Having been suspended.

Mr. Waterson, chairman of the same committee, to whom was referred Council bill entitled

An act concerning mortgages,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to, and

The bill was read a third time and passed.

Mr. Waterson, chairman of the same committee, to whom was referred Council bill entitled

An act concerning the plats of towns and villages,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to,

And the bill read a third time and passed.

Mr. Wilkinson, from the committee on enrolled bills, reported as truly enrolled, House bills of the following titles:

An act to provide for the establishment of common schools.

An act to provide for paying the clerks of the Legislative Assembly of the Territory of Kansas.

An act supplemental to an act entitled an act to define the boundaries of the county of Atchison.

An act to provide for the punishment of offences against the public health.

An act to establish a territorial road from Willow Springs to Douglas.

An act for the relief of debtors.

An act concerning jurors.

An act supplemental to an act to establish a territorial road from a point opposite Boston, Missouri, to a point on the California road, at or near the Half-way Grove, in the Territory of Kansas.

An act to incorporate the Osawkee Town Company.

An act to prevent obstructions across the Big Sugar creek.

On motion by Mr. Williams,

The House bill entitled

An act defining the boundaries of the several counties of the Territory of Kansas,

Was taken up,

The Council amendment was read a first time, and,

On motion by Mr. Williams,

The rule was suspended, and the amendment read a second and third time, and agreed to.

On motion by Mr. Marshall,

Leave of absence was granted to Mr. Croysdale for three days.

Mr. Weddle, select committee of one, to whom was referred Council substitute to House bill entitled

An act concerning mills and millers,

Reported the same back with the following amendments:

Strike out in sec. 12, the word "law," and insert "act."

In sec. 14, strike out the words "the law," and insert "an act."

And as amended recommended its passage.

The report was agreed to, and,

On motion by Mr. Blair,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended, read a third time and passed.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that Council bills of the following titles have been passed by the Council:

An act providing for the location of the county seat of Leavenworth county.

An act to organise, discipline and govern the militia of the Territory.

An act to incorporate the Tecumseh Town Association.

An act to incorporate the town of Venecia.

Also,

That the following House bills have passed the Council:

An act supplementary to an act entitled

An act to incorporate the Atchison Town Company.

An act to incorporate the Indianola Town Company.

An act to confirm and make valid certain acts of the Judge of the First District Court of the Territory of Kansas.

An act to incorporate the Alexandria Town Company.

An act providing for the erection of the capitol and other public buildings.

An act to incorporate the Louisiana Town Company,

An act to incorporate the Douglas Town Company,

An act to incorporate the Mount Vernon Town Company.

The substitute to Council bill entitled

An act to prevent the firing of woods marshes and prairies.

An act entitled an act respecting seed horses.

Also,

The Council insists on its amendments to House bill entitled

An act to locate and establish a territorial road from Lewis' Point on the Missouri river to a point on the Grasshopper creek.

Also,

Insist on its amendment to House bill entitled

An act to authorize James Findley to establish a bridge across the Wakarusa river,

And has appointed as a committee of conference, to meet a similar committee from the House, to consider the amendments, Messrs. Richardson, Coffey and McDonald.

Mr. Hieskell introduced a bill entitled

An act to incorporate the town of Paola,

Which was read a first time.

On his further motion,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Mathias,

The bill was considered as engrossed, the bill read a third time, and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred House bill No. 168, entitled

An act to establish a ferry at the town of Port William, in the Territory of Kansas,

Reported the same back with the following amendments:

Add

Sec. 8. Provided that nothing herein contained, shall be so construed as to compel the above named persons to keep a steam ferry boat for one year from the passage of this act.

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Waterson,

The rule suspended, and the amendment read a second time, and agreed to.

And the bill as amended, read a third time and passed.

Mr. McMeekin, chairman of the select committee, to whom was referred Council bill entitled

An act to exempt from sale on execution certain land and tenements,

Reported the same back,

And recommended its rejection, and

Reported a substitute of the following title:

An act to exempt homesteads and certain other property from execution.

And recommended its passage.

The report was agreed to, and

The substitute read a first time, and,

On motion by Mr. McMeekin,

The rule was suspended, and the substitute read a second and third time, and passed.

Mr. McMeekin, chairman of the select committee, to whom was referred Council bill entitled

An act concerning gaming,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

The reading of bills and other business on the table being in order,

The following bills returned by the Council with amenments, were taken up, and severally disposed of as follows:

An act providing for the erection of the capitol and other public buildings,

The Council amendment was read a first time, and,

Mr. Marshall moved

Thhat the rule be suspended, and the amendment read a second time.

Which was lost.

On motion by Mr. Marshall,

The vote refusing to suspend the rule, was reconsidered.

On motion by Mr. Speaker Stringfellow,

Mr. Anderson in the chair,

The Council amendment was disagreed to.

Mr. Speaker Stringfellow,

Mr. Anderson in the chair,

Offered the following amendment:

Amend by striking out all the names in section 1,

Which was read a first time, and,

On motion by Mr. Harris,

The rule was suspended, and the amendment read a second time.

On motion by Mr. Tebbs,

The roll of the House was called:

Members absent—Messrs. Houston, McGee and Younger—3.

Absent on leave—Mr. Croysdale.

Mr. Tebbs moved to suspend the rule, and that the amendment be read a third time,

Which was lost,

By the following vote:

AYES—Messrs. Anderson, Harris, Hieskell, Scott, Tebbs, Wade, Wilkinson and Mr. Speaker—8.

NOES—Messrs. Banks, Blair, Browne, Kirk, Mathias, McGee, Payne, Ward, Waterson, Weddle, Whitlock, Williams and Younger—13.

Absent—Messrs. Houston and Marshall—2.

Absent on leave—Mr. Croysdale.
Excused from voting—Messrs. Johnson and McMeekin—2.
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The rule rejecting the Council amendment was reconsidered.
Mr. Speaker Stringfellow offered the following amendment:
Amend by striking out the name of "Thomas Johnson."
Which was read a first time, and,
On motion by Mr. Harris,
The rule was suspended, and the bill read a second time.
Mr. Whitlock moved to suspend the rules, and that the amendment be read a third time.
The motion was lost by the following vote,
Mr. Waterson having demanded the ayes and noes:

Ayes—Messrs. Browne, Harris, Kirk, Mathias, McGee, Payne, Tebbs, Weddle, Williams, Wilkinson, Mr. Speaker—11.
Noes—Messrs. Anderson, Banks, Blair, Hieskell, Marshall, McMeekin, Scott, Wade, Ward, Waterson, Younger—11.
Absent—Messrs. Houston, and Whitlock—2.
Absent on leave—Mr. Croysdale.

Mr. Johnson was excused from voting.
On motion by Mr. Browne,
The Council amendment was disagreed to.

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled House bill entitled
An act to provide for paying the clerks of the present Legislative Assembly of the Territory of Kansas.

Mr. Williams introduced a bill entitled
An act to incorporate the town of Fort Scott.
Which was read a first time, and,
On his further motion,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Hieskell,
The rule was again suspended the bill considered as engrossed, read a third time, and passed.
The rule requiring the ayes and noes having been suspended.

Mr. Wilkinson, from the committee on enrolled bills, reported as truly enrolled bills of the following titles:
An act to incorporate the Calhoun Town Company.
An act to prevent non-residents from grazing stock in Kansas Territory.

The House bill returned by the Council, with amendments, entitled
An act [illegible] of school lands in certain cases,
Was taken up, the Council amendment to section 1 read a first time, and,
On motion by Mr. Wade,

The rule was suspended, and the bill read a second time, and

On motion by Mr. Blair,

The rule was again suspended, and the amendment read a third time, and agreed to.

The second amendment was read a first time, and,

On motion by Mr. Blair,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Waterson,

The rule was again suspended, and the amendment read a third time, and agreed to.

The third Council amendment was read a first time, and,

On motion by Mr. Blair,

The rule was suspended, and the amendment read a second and third time, and agreed to.

The House bill returned by the Council, with amendments, entitled

An act to locate and establish a territorial road from Lewis' Point, on the Missouri river, to a point on the Grasshopper creek.

On motion by Mr. Kirk,

The bill was indefinitely postponed.

The House bill entitled

An act to incorporate the Louisiana Town Company.

The Council amendment was read a first time, and,

On motion by Mr. Waterson,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Wade,

The rule was again suspended, and the amendment read a third time, and passed.

The House bill entitled

An act to authorize James Findley to construct a bridge across the Wakarusa river.

Mr. Wilkinson moved that the Council amendment be agreed to.

Which was lost.

The Chair appointed Messrs. McMeekin, Marshall, and Mathias as a committee on part of the House, to confer with a similar Council committee upon the bill.

The reading of bills and other business from the Council being in order, the following Council bills were read a first time:

An act to incorporate the Tecumseh Town Association.

On motion by Mr. Blair,

The rule was suspended, and the bill read a second time, and

On motion by Mr. Johnson,

Referred to the committee on corporations.

An act to incorporate the town of Benton.

On motion by Mr. Hieskell,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Wade,

Referred to the committee on corporations.

An act to organize, discipline, and govern the militia of this Territory.
On motion by Mr. Marshall,
The rule was suspended, the bill read a second time, and
On motion by Mr. Williams,
Referred to the committee on militia.

Mr. Williams offered the following resolution, which was adopted:

Resolved, That the meeting of the House hereafter in the afternoon of each day, shall be at half-past one o'clock.

Mr. Payne, chairman of the select committee to whom was referred Council bill entitled
An act to prevent certain trespasses,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and the bill read a third time and passed.

Mr. Wade moved that the House adjourn.
Which was lost.

Mr. Browne, from the committee on roads and highways, to whom was referred House bill No. 165, entitled
An act to establish a ferry across the Kansas river, at the town of Lecompton.
Reported the same back, with the following amendments:
Strike out the word "is," in the first line of the first section, and insert "Wesley Garrett and Evan Toddhunter."
Strike out the words "two miles," in the seventh line of the first section, and insert "one mile from the landing."
And as amended recommended its passage.
The report was agreed to, and,
On motion by Mr. Kirk,
The rule was suspended, and the amendment read a second time, and agreed to, and
The bill as amended read a third time and passed.

On motion by Mr. Wilkinson,
The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

Mr. Anderson, chairman of the committee on elections, to whom was referred Council bill entitled
An act respecting aliens,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and the bill read a third time and passed.

On motion by Mr. Waterson,
The House bill entitled
An act to incorporate the Kansas University,
Was taken up, and the Council amendment read a third time, and agreed to.
Mr. McGee moved that the vote be reconsidered.
Which was lost.

Mr. Williams, chairman of the committee on bounds of counties and districts, to whom was referred Council bill entitled
An act to regulate proceedings on writs of *habeao corpus*,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and the bill read a third time and passed.

On motion by Mr. Browne,
The vote disagreeing to Council amendment to House bill No. 149, entitled
An act to provide for the erection of the capitol and other public buildings,
Was reconsidered.
The question then being upon agreeing to the Council amendment,
It was adopted.

Message from the Council by Mr. Grover, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the following Council bill has passed the Council:
An act more specifically to define the northern boundary of Atchison county.

The bill just read, from the Council, was taken up and read a first time, and,
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on bounds of counties and districts.

The Council bill entitled
An act providing for the location of the county seat of Leavenworth county,
Was taken up, and read a first time, and,
On motion by Mr. Weddle,
The rule was suspended, and the bill read a second time.

Mr. Speaker Stringfellow, (Mr. Anderson in the Chair,) offered the following amendment:
Amend by striking out "second Monday," in section 1, and insert "first Monday."
Which was read a first time, and
Mr. Speaker Stringfellow moved to suspend the rule, and that the amendment be read a second time.
Which was lost.
On motion by Mr. Weddle,
The amendment was rejected.
On motion by Mr. Waterson,
The bill was considered as engrossed, the rule suspended, read a third time, and passed.

Mr. Mathias offered the following resolution:

Resolved, That the sum of four hundred and fifty dollars be allowed the chief and assistant clerks of the House, for the copying of the journal of the House, making a full and complete index thereto, and for superintending the printing of the journal and index.

Which was read a first time, and,

On motion by Mr. Mathias,

Referred to the committee on finance.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act to establish the office of district attorney, and to define their duties,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Mr. Williams, chairman of the committee on bounds of counties and districts, to whom was referred Council bill entitled

An act to more specifically define the southern boundary of Atchison county,

Reported the same back, and recommended its rejection.

And also reported a substitute entitled

An act to more specifically define the boundaries of Atchison county.

And recommended its passage.

The report was agreed to, and

The bill rejected.

The substitute bill was read a first time, and,

On motion by Mr. Kirk,

The rule was suspended, and the bill read a second time, considered as engrossed, the rule suspended, read a third time, and passed.

On motion by Mr. Weddle,

The House adjourned.

FRIDAY MORNING, August 24, 1855.

The House met pursuant to adjournment.

Prayer was offered by the Rev. Mr. Perry, Chaplain.

On motion by Mr. Wade,
The reading of the Journal of yesterday was dispensed with.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act defining the punishment for crimes affecting property, public and private,
Reported the same back with the following amendment:
Add before the last clause in said bill:
Sec. 66. That when any person or persons shall be convicted for the violation of any of the provisions of this act or any law now in force in this Territory, and sentenced to "hard labor," or "confinement and hard labor," it shall be construed to mean "to hard labor and confinement in the penitentiary."
And as amended recommended its passage.
The report was agreed to, and
On motion by Mr. [illegible],
The rule was suspended, and the amendment read a second time and agreed to, and the bill as amended read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred Coun- Council bill, entitled
An act concerning guardians and curators,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and,
The bill read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act regulating practice in the supreme court,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time, and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act to regulate action on penal bonds,
Reported the same back without amendment,
And recommended its passage.
The report was agreed to,
And the bill read a third time and passed.

Mr. Hieskell, from the committee on finance, to whom was referred House resolution
Respecting the pay of clerks,
Reported the same back without amendment,

And recommeded its passage.

The report was agreed to,

And the [illegible] and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bills entitled

An act concerning bills of exchange and negotiable promissory notes,

An act fixing the time of meeting of the Legislative Assembly,

An act authorising the Council and House of Representatives to punish for contempt, and for other purposes,

An act concerning landlords and tenants,

Reported the same back without amendment, and recommended their passage.

The report was agreed to, and

The bills respectively read a third time and passed.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled

An act to incorporate the Alexandria Coal Mining Company.

Reported the same back with the following amendments;

And as amended, recommended its passage.

Amend by adding to sec. 16, the following:

Provided, that nothing in this act shall be so construed as to empower said company to purchase or hold any more real or other property, than may be necessary for the legitimate purposes of said Coal Mining Company, nor to enter upon the lands of other persons, or exploring for coal without the consent of such land holders;

The report was agreed to, and

On motion by Mr. Waterson,

The rule was suspended, and the amendments read a second time and agreed to, and the bill as amended read a third time and passed.

The rule requiring the ayes and noes having been suspended.

Mr. Harris, chairman of the committee on roads and highways, to whom was referred House bill No. 60, entitled

An act to establish a territorial road, &c.,

Reported the same back without amendment,

And recommend its passage.

The report was agreed to, and

And the bill read a third time and passed.

Mr. Waterson, chairman of the committee on corporations to whom was referred Council bill entitled

An act to incorporate the [illegible] Town Association,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to, and

The bill was read a third time and passed,

The rule requiring the ayes and noes, having been suspended.

Mr. Waterson, chairman of the same committee, to whom was referred Council bill entitled

An act to incorporate the [illegible] Society of Kansas,

Reported the same back with the following amendments:

Amend sec. 1, by inserting after the word "record," and before the word "or," the following: "in this Territory."

Amend sec. 2, in the 14th line, by striking out after the word "is," and before the word "regular," and inserting the word "may."

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Johnson,

The rule was suspended, and the amendment read a second time, and agreed to, and,

The bill as amended read a third time and passed.

The rule requiring the ayes and noes having been suspended.

Mr. Waterson, chairman of the same committee, to whom was referred Council bill entitled

An act to incorporate the Leavenworth Insurance Company,

Reported the same back with the following amendments:

Amend sec. 3, by inserting "R. L. Ream, Wm. G. Mathias," after the name of "Amos Rees."

Amend sec. 16, by striking out all after the word "act," in the fifth line,

And as amended recommended its passage.

The report was agreed to.

On motion by Mr. Johnson,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended, read a third time and passed.

The rule requiring the ayes and noes,

Having been suspended.

Message from the Council, by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the Council bills entitled

An act to incorporate the Lavinia Town Company.

An act to establish a road from Iowa Point to the California road.

An act to incorporate the Neosho Town Company.

An act to regulate practice at law.

Also,

That the following House bills have passed the Council.

An act to charter a ferry across the Miraposa river, at the town of Palermo, in the Territory of Kansas.

An act to provide for the taking of the census of the people of Kansas Territory. as amended.

An act to incorporate the city of Lecompton.

An act to incorporate the town of Paola.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled

An act to incorporate the town of Benicia,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to,

And the bill read a third time and passed.

The rule requiring the ayes and noes having been suspended.

Mr. Williams, from the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act defining the punishment of offenses against public morals and decency,

Reported the same back with the following amendments:

In section 15, strike out the words "by imprisonment in a county jail not exceeding one year."

In section 17, strike out all after the word "dollars."

In section 18, strike out all after the word "by," and insert the following: "By fine not exceeding five hundred dollars."

In section 19, strike out all between the words "furnished" and "by," and all after the word "dollars."

Strike out sections 45 and 46.

And as amended recommended its passage.

The report was agreed to, and,

On motion by Mr. Williams,

The rule was suspended, and the amendment read a second time, and agreed to, and

The bill as amended read a third time and passed.

On motion by Mr. Johnson,

The following Council bills were taken up, read a first time, and disposed of, as follows:

An act to regulate practice at law.

On motion by Mr. Johnson,

The rule was suspended, and the bill read a second and third time, and passed.

An act to incorporate the Lavinia Town Company.

On motion by Mr. McGee,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. McGee,

The bill was referred to a select committee, consisting of Messrs. McGee, Waterson, and Hieskell.

The reading of bills and other business lying on the table being in order,

The following bills returned by the Council, with amendments, were taken up and severally disposed of, as follows:

An act to charter a ferry across the Missouri river, at the town of Palermo.

The Council amendment was read a first time, and,

On motion, by Mr. Waddle,

The rule was suspended, and the amendment read a second time, and,

On motion by Mr. Kirk,

The rule was again suspended, and the amendment read a third time and agreed to.

An act to provide for the taking of the census of the people of Kansas Territory.

The Council amendment was read a first time, and,

On motion by Mr. McGee,

The House disagreed to the amendment of the Council.

The reading of Council bills being in order,
The following Council bills were read a first time, and severally disposed of, as follows:

An act to incorporate the Neosho Town Association.
On motion by Mr. Blair,
The rule was suspended, and the bill read a second time, and
Referred to a select committee, consisting of Messrs. McGee, Waterson, and Hieskell.

An act to establish a road from Iowa Point to the California road.
On motion by Mr. Blair,
The rules were suspended, and the bill read a second and third time, and passed.

Mr. Wilkinson, from the committee on enrolled bills, reported as truly enrolled a bill of the following title:
An act to incorporate the Atchison Town Company.

Mr. Williams, chairman of the committee on bounds of counties and districts, to whom was referred Council bill entitled
An act concerning dowers,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.

Mr. McGee, on leave, introduced a bill entitled
An act to incorporate the Columbia Town Company.
Which was read a first time.
On motion by Mr. McGee,
The rule was suspended, and the bill read a second and third time, and passed.
The rule requiring the ayes and noes having been suspended.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled
An act providing for the office of sheriff, and prescribing their duties,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and,
The bill read a third time and passed.

On motion by Mr. Waddle,
The House took a recess for a quarter of an hour.

The recess being over,
The House met, pursuant to adjournment.

On motion by Mr. Waterson,
The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

Mr. Williams, chairman of the select committee, to whom was referred House bill entitled

An act to incorporate the Leavenworth Bank,

Reported the same back, and recommended its rejection.

And also reported a substitute of the same title.

The report was agreed to, and

The substitute read a first time, and,

On motion by Mr. McMeekin,

The rule was suspended, and the bill read a second time.

Mr. Scott moved to lay the bill on the table.

Which was lost.

Mr. Speaker Stringfellow (Mr. Waterson in the chair) moved to suspend the rules, and that the bill be read a third time.

Which was lost by the following vote,

Mr. Wilkinson having demanded the ayes and noes:

Ayes.—Messrs. Anderson, Johnson, Kirk, Marshall, McGee, McMeekin, Mathias, Payne Tebbs, Ward, Whitlock, Williams, Mr. Speaker—13.

Noes.—Messrs. Banks, Blair, Browne, Hieskell, Scott, Waterson, Weddle, Wilkinson, Younger—9.

Absent—Messrs. Harris, Houston, and Wade—3.

Absent on leave—Mr. Croysdale.

On leave, Mr. McGee introduced a bill entitled

An act to incorporate the Washington Town Company.

Which was read a first time, and,

On his further motion,

The rule was again suspended and the bill read a second and third time, and passed.

The rule requiring the ayes and noes having been suspended.

Mr. Wilkinson, from the committee on enrolled bills, reported as truly enrolled House bills of the following titles:

An act to grant pre-emptions on school lands in certain cases.

An act supplemental to an act to provide for the collection of the revenue.

Mr. Wilkinson, from the special committee to whom was referred Council bill entitled

An act to license and tax merchants,

Reported the same back, and recommended its rejection.

And also reported a substitute of the same title.

The report was agreed to, and

The bill was read a first time.

On motion by Mr. Wade,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Wilkinson,

The rule was again suspended, the bill considered as engrossed, read a third time, and passed,

Message from Acting Governor Woodson, by Mr. Lowry, his Private Secretary:

EXECUTIVE DEPARTMENT, Aug. 24, 1855.

To the Honorable the House of Representatives of the Territory of Kansas:

I have the honor to announce that I have signed House bills of the following titles:

An act to incorporate the city of Kickapoo.

An act to view and mark out a road from the eastern boundary line of the Territory of Kansas, near Westport, Jackson county, Missouri, a part of the way, and to declare a part of the road, as the present road which now runs to Fort Leavenworth, a territorial road.

An act concerning strays.

An act concerning arbitrations and awards.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to the Great Nemaha river.

An act to establish a territorial road from a point opposite Westport, in Missouri, to Cofachiqui, by way of Ballard and Taylor's ford, and the Catholic mission.

An act to declare the Santa Fe road a territorial road.

An act to establish a territorial road from opposite Boston, Missouri, to a point on the California road, at or near the Half-way Grove in said Kansas Territory.

An act entitled an act to declare the road now leading from the California road near Wakefield, to Lecompton, along the ridge between Snyder and William Toddhunter's, and marked out by a double furrow, a public highway.

An act to grant to F. J. Marshall and Albert G. Woodward exclusive privilege to establish a ferry across the Big Blue river, at the crossing of the great military road leading from Fort Leavenworth to Forts Kearney and Laramie, and also at the crossing of the Independence and California road across the same river.

An act declaring certain roads public highways.

An act to view and mark out a road from One Hundred and Ten, *via* Glendale and the town of Douglas, to intersect the military road from Fort Leavenworth to Fort Riley.

An act to establish a territorial road from the territorial line, near Westport, Missouri, to Fort Scott, in the Territory of Kansas.

An act entitled an act to declare a certain road from the Shawnee Methodist Church South, to the town of Tecumseh, a territorial road.

An act to incorporate the Leavenworth Lodge, No. 150, of Ancient Free and Accepted Masons.

A bill entitled an act establishing territorial roads.

An act to provide for laying out and establishing a territorial road from the point where the Atchison, Kickapoo, and Leavenworth roads converge, by way of Osawkee and Tecumseh, to intersect the Santa Fe road at or near One Hundred and Ten.

An act to establish a territorial road from Leavenworth city to Osawkee, *via* Alexandria.

An act granting to Lewis Trombly exclusive right to a bridge across the Vermillion branch of the Big Blue river, at the crossing of the Independence and California road.

An act for securing liens to mechanics and others.

An act to establish a territorial road from Leavenworth city to the town of Salem, on the Santa Fe road, in Kansas Territory.

An act to establish a territorial road from Atchison to Pawnee, by the way of Grasshopper Falls, in the Territory of Kansas.

An act concerning marriage contracts.

An act to view and mark out a territorial road from Doniphan city to Kelley's ferry, on the Missouri river.

An act to establish a territorial road from Leavenworth city, on the Missouri river, to Indianola, in the Territory of Kansas, by the way of Money creek and Grasshopper Falls.

An act to establish a ferry across the Missouri river, opposite the town of Boston.

An act to incorporate the Fort Scott Town Company.

An act to locate a territorial road.

An act concerning corporations.

An act to license and tax peddlers.

A bill entitled an act to prevent trespass on the possessions of settlers on the public lands.

An act to incorporate the Wyandott Lyceum.

An act entitled an act to establish a territorial road from Atchison, *via* Mount Pleasant and Hickory Point, to a point on the Kansas river, opposite to the town of Lecompton.

An act regulating marriages.

An act to establish a territorial road from Delaware, on the Missouri, to Calhoun and other points.

A bill entitled an act to authorize Thomas N. Stinson to establish a ferry across the Kansas river, at the town of Tecumseh.

An act to lay off and establish a territorial road, from the California road near [illegible], to Batiste Peoria.

An act regulating enclosures.

An act to establish a territorial road from a point opposite St. Joseph, Missouri, to Indianola, in the Territory of Kansas.

An act for the incorporation of towns, and to prevent the circulation of town and city script.

DANIEL WOODSON, *Acting Governor.*

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the following House bill:

An act to more specifically define the boundaries of the county of Atchison.

Mr. Marshall offered the following concurrent resolution:

Be it resolved, By the House of Representatives, the Council concurring therein, that the committee on public printing be and they are hereby instructed to direct the printing of ——— copies of the bill entitled "An act supplemental to an act for the collection of the revenue;" also, —— copies of a bill entitled "An act regulating elections;" and that —— copies of each be delivered to the Secretary of the Territory, whose duty it shall be to furnish, on or before the first Monday in October next, the sheriffs of the several counties in this Territory with at least four copies of each act so furnished him.

Which was read a first time, and,
On motion by Mr. Marshall,
The rule was suspended, and the resolution read a second time, and,
On motion by Mr. Anderson,
Referred to the committee on judiciary and criminal jurisprudence.

On leave, Mr. Marshall introduced the following bills, which were read a first time, and severally disposed of, as follows:

An act to incorporate the Marysville Town Company.
On motion by Mr. Marshall,
The rule was suspended, the bill read a second time, and,
On motion by Mr. Kirk,
The bill was considered as engrossed, read a third time and passed.
The rule requiring the ayes and noes having been suspended.

An act supplemental and amendatory to an act providing for the pay of the clerks of the present Legislature.
On motion by Mr. Marshall,
The rule was suspended, and the bill read a second and third time, and passed.

An act to incorporate the Richmond Town Company.
On motion by Mr. Kirk,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Hieskell,
The rule was again suspended, and the bill read a third time, and passed.
The rule requiring the ayes and noes having been suspended.

On motion by Mr. Anderson,
The House bill No. 182, entitled
An act to incorporate the Leavenworth Bank,
Was taken up, by the following vote,
Mr. Weddle having demanded the ayes and noes:

Ayes—Messrs. Anderson, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Tebbs, Ward, Whitlock, Williams, Mr. Speaker—12.
Noes—Messrs. Blair, Browne, Harris, Hieskell, Scott, Wade, Waterson, Weddle, Wilkinson, Younger—11.
Absent—Messrs. Houston and McGee,—2.
Absent on leave—Mr. Croysdale.

Mr. Anderson moved a suspension of the rules, and that the bill be read a third time.

On motion by Mr. Anderson,
The roll of the House was called.
Absent—Messrs. Houston and McGee—2.

The question then recurring upon the motion to suspend the rules,
Mr. Blair called for the ayes and noes:

Ayes—Messrs. Anderson, Hieskell, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Tebbs, Wade, Ward, Whitlock, Williams, and Mr. Speaker—14.

Noes—Messrs. Banks, Blair, Browne, Harris, Scott, Waterson, Weddle, Wilkinson, Younger—9.
Absent—Messrs. Houston and McGee—2.
Absent on leave—Mr. Croysdale.

On motion by Mr. Payne,
The House adjourned.

SATRUDAY MORNING, August 25, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery.

On motion by Mr. Payne,
The reading of the journal was dispensed with.

Mr. Williams, from the committee on enrolled bills, reported as truly enrolled, House bills of the following titles:
An act providing for the organization and boundaries of counties.
An act to incorporate the Kansas University.
An act to confirm and make valid certain acts of the Judge of the First District Court of the Territory of Kansas.
An act providing for the erection of public buildings at the seat of government.
An act respecting seed horses.
An act to prevent the firing of woods, marshes and prairies.
An act to incorporate Alexandria.

Mr. Waterson offered the following resolution which was adopted:

Resolved, That the Speaker be authorized to appoint as many additional assistant enrolling clerks as the business of the House may require.

The Speaker appointed Mr. George Holmes.

Mr. Mathias, on leave introduced a bill entitled:
An act defining the judicial districts.
Which was read a first time, and
On motion by Mr. Payne,
The rule was suspended and the bill read a second time.

Mr. Browne offered the following amendment:
Amend by striking out all after section 3, except the last clause;

Which was read a first time, and
The rule suspended, and the amendment read a second time, and agreed to,
And the bill as amended, read a third time and passed.

On motion of Mr. McGee,
Fifty copies of the bill entitled
An act to incorporate the Leavenworth Bank,
Were ordered to be printed.

Mr. Anderson offered the following concurrent resolution:

Resolved, By the House of Representatives of the Territory of Kansas, the Council concurring therein, That a committee consisting of two on the part of the House and one on the part of the Council, be appointed for the purpose of memorializing the Congress of the United States on the subject of a grant of public lands for the endowment of the Territorial University of Kansas.

Which was read a first time, and,
On motion by Mr. Anderson,
The rule was suspended and the resolution read a second time and agreed to.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed the following enrolled House bills:

An act supplemental to an act to provide for the collection of the revenue.
An act to incorporate the Osawkee Town Company.
An act to prevent obstructions across the Big Sugar creek.
An act to incorporate the Calhoun Town Company.
An act to establish a Ferry across the Kansas river at the town of Lawrence, Kansas Territory.
Also,
The following Council bills:
An act concerning the action of replevin.
An act to incorporate the town of Paola.

The following message was received from acting Governor, Woodson, by Mr. Lowry, his private Secretary:

EXECUTIVE DEPARTMENT, Aug. 24, 1855.

Joseph C. Anderson, Esq.,
Chairman of the committee on elections, House of Representatives:
SIR:

In reply to the resolution of the House of Representatives, requiring the committee on elections to inquire of the Governor or Secretary of the Territory whether Samuel D. Houston, a member of the House has resigned his seat; I have the honor to state that in a communication addressed to the Governor on the 23d of July, and filed in the Executive office on the 24th of the same month, Mr. Houston resigned his seat as a member of the House of Representatives, and assigned his reasons at [illegible].

The communication is herewith enclosed for the further information of the committee.

Respectfully, DANIEL WOODSON,
Acting Governor.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act in relation to the general provisions regulating crimes and punishments,

Reported the same back with the following amendments:

In section 7, fourth line thereof, between the words "by" and "shall," insert the words "confinement and hard labor."

In section 43, strike out the word "Territory," where it occurs the second time, and insert the word "Territorial."

And as amended, recommended its passage.

The report was agreed to, and,

On motion by Mr. Mathias,

The rule was suspended, and the amendment read a second time and agreed to, and

The bill as amended read a third time and passed.

Mr. Mathias chairman of the same committee, to whom was referred Council bill entitled

An act relative to insane persons,

Reported the same back without amendment, and recommended its passage

The report was agreed to, and,

The bill was read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred Council bill entitled

An act for regulating and managing the Territorial Library, with amendments,

Reported the same back with the following amendments:

In section 4, in third line, after the word "same," insert the word "room."

In section 17, after the word "each" in the first line, insert the word "Legislature,"

And as amended recommended its passage.

The report was agreed to, and

The amendment read a first and second time and agreed to, and

The bill read a third time and passed.

Mr. Mathias, chairman of the same committee, to whom was referred Council bills entitled

An act regulating judgments and decrees,

An act defining the punishment of crimes affecting currency, records, and securities, public and private,

An act defining the punishment for crimes affecting the administration of justice,

Reported the same back without amendment and recommended their passage.

The report was agreed to, and

The bills were read a third time and passed.

Message from the Council by Mr. Eastin, a member.

MR. SPEAKER:

The President of the Council has signed enrolled House bill entitled
An act defining the boundaries of the several counties of the Territory of Kansas.

Message from the Council by Mr. Eastin, a member.

MR. SPEAKER:

The President of the Council has signed enrolled Council bill entitled
An act providing for the office of Sheriff, and prescribing his duties.

On motion by Mr. Anderson,
It was ordered that the Council be informed that the House is now ready and in wait for the Council to go into joint session for the election of officers.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed the following enrolled Council bill:
An act to establish a probate court with a board of commissioners, and to define its jurisdiction.

On motion by Mr. McMeekin,
The House took recess for thirty minutes.

House met, pursuant to adjournment.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the following House bills have passed the Council:
An act to permanently establish a medical college at the town of Lecompton.
An act to authorize James Findley to construct a bridge across the Wakarusa river, as amended.
An act to incorporate the Centreville Seminary and Town Association.
An act to establish a ferry.
An act prescribing certain regulations touching Territorial roads.
Also,
That the following Council bills have passed:
An act to incorporate the Territorial Agricultural Society.
Also,
Council resolution in regard to the publication of laws,
An act to provide for the pay of officers and others.
Also,

That the Council insists on its amendments to House bill entitled An act to regulate elections.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the following House bills:

An act defining the judicial districts.

In pursuance of a concurrent resolution,

The Council with their officers having arrived in the Hall;

The President of the Council took the chair and announced the object for which the joint session had convened.

JOINT SESSION.

Mr. Eastin, of the Council, offered the following resolution, which was adopted:

Resolved, That the following shall be the order of business for the joint session in the election of officers:

First, county officers, beginning with the first judicial district, as follows:

Doniphan, Atchison, Jefferson, Calhoun, Leavenworth and Douglas.

Second Judicial District—Johnson, Lykins, Linn, Bourbon, Allen, Anderson, Franklin and Shawnee.

Third Judicial District—Nemaha, Marshall, Riley, Breckenridge and Madison.

Second, District officers, beginning with the first and ending with the third Judicial District.

Mr. Eastin also offered the following resolution:

Resolved, That in the election for civil officers, the nominations offered by the representatives of the respective district and counties shall be first acted upon, and in case no nominations should be made for any district or county office, or in case of failure to make a choice from the nominations so made, then it shall be allowable to offer other nominations until all district and county offices shall have been provided for.

2. All votes in joint session shall be given *viva voce*.

The resolution was lost by the following vote.

The ayes and noes having been demanded:

Ayes	15
Noes	22
Whole number of votes cast,	37

The members of the House of Representatives voted as follows:

AYES—Messrs. Anderson, Banks, Harris, Payne, Scott, Wade, Weddle, Whitlock—8.

NOES—Messrs. Blair, Browne, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Tebbs, Ward, Waterson, Williams, Wilkinson, Younger and Mr. Speaker—16.
Absent—Mr. Houston.
Absent on leave—Mr. Croysdale.

On motion by Mr. Rees, of the Council,
The joint session proceeded to the election of officers in compliance with the resolution.

DONIPHAN COUNTY.

Mr. Waterson of the House nominated Joel P. Blair, for Probate Judge.
No other nominations being made,
The vote stood as follows:
Whole number of votes, 37.

The members of the House voted as follows,
For Mr. BLAIR:

Messrs. Anderson, Banks, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson and Younger—22.

For Mr. FORMAN:
Messrs. Blair and Mr. Speaker—2.
ABSENT—Mr. Houston.
ABSENT ON LEAVE—Mr. Croysdale.

Mr. Blair having recieved a majority of all the votes cast, was declared duly elected Probate Judge.

Nominations for County Commissioners being in order,
Mr. Richardson, of the Council, nominated Alexander H. Dunning and E. V. B. Rodgers.
No other nominations being made,
The vote stood as follows:

Whole number of votes cast, 37.
Necessary to a choice, 19.
Messrs. Dunning and Rodgers, received 37 votes.

The members of the House of Representatives voted as follows,
For Messrs. Dunning and Rodgers:

Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk. Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson. Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—23.
Absent—Messrs, Houston and Marshall—2
Absent on leave—Mr. Croysdale.

Messrs. Dunning and Rodgers having received a majority of all the votes cast, were declared duly elected County Commissioners.

Nominations for Sheriff being in order,
Mr. Waterson, of the House, nominated Carvy B. Whitehead.
No other nominations being made,
The vote stood as follows:
Whole number of votes cast, 36.
Necessary to a choice, 19.
Mr. Whitehead recieved 36 votes.

The members of the House of Representatives voted as follows:
For Mr. Whitehead—
Messrs. Anderson, Blair, Browne, Banks, Harris, Hieskell, Johnson, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker —23.
Absent—Messrs. Houston, and Marshall—2.
Absent on leave—Mr. Croysdale.

Mr. Whitehead having received a majority of all the votes cast was declared duly elected Sheriff of Doniphan county.

ATCHISON COUNTY.

Nominations for Probate Judge being in order,
Mr. Kirk, of the House nominated James A. Headly.
No other nominations being made,
The roll was called, and there appeared for Mr. Headly 37 votes.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Mr. Headly—
Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and MSpeaker —24.
Absent—Mr. Houston.
Absent on leave—Mr. Croysdale.

Mr. Headley having received a majority of all the votes cast, was declared duly elected Probate Judge.

Nominations for County Commissioners being in order,
Mr. Kirk, of the House, nominated William Young and Jas. M. Givens,
No other nominations being made,
The roll was called, and their appeared for Messrs Young and Givens, 37.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Messrs. Young and Givens—
Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Kirk, Marshall, Johnson, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker —24.
Absent—Mr. Houston.
Absent on leave—Mr. Croysdale.

Messrs. Young and Givens having received a majority of all the votes cast, were declared duly elected County Commissioners.

Nominations for Sheriff being in order,
Mr. Kirk, of the House, nominated Wm. C. McVay.
No other nominations being made,
The roll was called, and there appeared for Mr. McVay, 37.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Mr. McVay—
Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.
Absent—Mr. Houston.
Absent on leave—Mr. Croysdale..

Mr. McVay having received a majority of all the votes cast, was declared duly elected Sheriff of Atchison county.

JEFFERSON COUNTY.

Nominations for Probate Judge being in order,
Mr. McMeekin, of the House, nominated O. B. B. Tebbs.
No other nominations being made,
The roll of the House was called, and there appeared for Mr. Tebbs, 37.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Mr. Tebbs—
Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.
Absent—Mr. Houston.
Absent on leave—Mr. Croysdale.

Mr. Tebbs having recieved a majority of all the votes cast, was declared duly elected Probate Judge.

Nominations for County Commissioners being in order,
Mr. McMeekin, of the House, nominated Napoleon Hopewell and Samuel Hudson.
No other nominations being made,
The roll was called, and their appeared for Messrs. Hopewell and Hudson, 37.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Messrs. Hopewell and Hudson—

Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.

Absent—Mr. Houston.

Absent on leave—Mr. Croysdale.

Messrs. Hopewell and Hudson having received a majority of all the votes cast were declared duly elected County Commissioners.

Nominations for Sheriff being in order,

Mr. McMeekin, of the House, nominated George M. Dyer.

No other nominations being made,

The roll of the House was called, and there appeared for Mr. Dyer, 37.

Whole number of votes cast, 37.

Necessary to a choice, 19.

The members of the House of Representatives voted as follows:

For Mr. Dyer—

Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.

Absent—Mr. Houston.

Absent on leave—Mr. Croysdale.

Mr. Dyer having recieved a majority of all the votes cast, was declared duly elected Sheriff of Jefferson county.

CALHOUN COUNTY.

Nominations for Probate Judge being in order,

Mr. Tebbs, of the House, nominated James Kuykendall.

No other nominations being made,

The roll was called, and there appeared for Mr. Kuykendall 35 votes.

For George H. Perrin, 2 votes.

Whole number of votes cast, 37.

Necessary to a choice, 19.

The members of the House of Representatives voted as follows:

For Mr. Kuykendall—

Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, Payne, Scott, Tebbs, Wade, Ward, Weddle, Waterson, Whitlock, Williams, Younger and Mr. Speaker—22.

For Mr. Perrin—

Messrs. McMeekin and Wilkinson—2.

Absent—Mr. Houston.

Absent on leave—Mr. Croysdale.

Mr. Kuykendall having received a majority of all the votes cast, was declared duly elected Probate Judge.

Nominations for County Commissioners being in order,
Mr. Tebbs, of the House, nominated Rewley J. Fulton, and Richard D. Beeler.

Mr. McMeekin. of the House, nominated Wm. Alley.

No other nominations being made,
The roll was called and there appeared for Messrs. Buler and Alley 37 votes.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Messrs. Beeler and Alley—
Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.
Absent—Mr. Houston.
Absent on leave—Mr. Croysdale.
Messrs. Beeler and Alley having received a majority of all the votes cast, were declared duly elected County Commissioners.

Nominations for Sheriff being in order,
Mr. Tebbs, of the House, nominated James Wilso.
No other nominations being made,
The roll was called, and there appeared for Mr. Wilson, 37 votes.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Mr. Wilson—
Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Ma-hias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.
Absent on leave—Mr. Croysdale.

Mr. Wilson having received a majority of all the votes cast, was declared duly elected Sheriff of Calhoun county.

LEAVENWORTH COUNTY.

Nominations for Probate Judge being in order,
Mr. Eastin, of the Council nominated John A. Halderman.

Mr. Richardson, of the Council nominated Amos Rees.

No other nominations being made,
The roll was called, and there appeared
For Mr. Halderman, 24 votes.
For Mr. Rees, 12 votes.
Necessary to a choice, 19 votes.

The members of the House of Representatives voted as follows:

For Mr. Halderman—
Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Kirk, Mathias, McGee, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Williams and Wilkinson—18.

For Mr. Rees—
Messrs. Johnson, Marshall, McMeekin, Whitlock, Younger and Mr. Speaker—6.
Absent on leave—Mr. Croysdale.

Mr. Halderman having received a majority of all the votes cast, was declared duly elected Probate Judge.

Nominations for County Commissioners being in order,
Mr. Grover, of the Council, nominated J. M. Hall.

Mr. Harris, of the House, nominated Horace Gray.
No other nominations being made,
The roll was called, and there appeared for Messers. Hall and Gray 37 votes.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Messrs. Hall and Gray—
Messrs. Anderson, Banks, Blair, Browne, Harris, Heiskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.
Absent on leave—Mr. Croysdale.

Messrs. Hall and Grey having recieved a majority of all the votes cast, were declared duly elected County Commissioners.

Nominations for Sheriff being in order,
Mr. McMeekin, of the House, nominated Green D. Todd.
No other nominations being made,
The roll was called, and there appeared for Mr. Todd 37 votes.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Mr. Todd—
Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.
Absent on leave—Mr. Croysdale.

Mr. Todd having received a majority of all the votes cast, was declared duly elected Sheriff.

DOUGLAS COUNTY.

Nominations for Probate Judge being in order,
Mr. Banks, of the House, nominated John P. Wood.

No other nominations being made,
The roll was called, and there appeared for Mr. Wood 37 votes.
Whole number of votes cast, 37.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:
For Mr. Wood—
Messrs. Anderson, Banks, Blair, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger and Mr. Speaker—24.
Absent on leave—Mr. Croysdale.

Mr. Wood having received a majority of all the votes cast, was declared duly elected Probate Judge.

Nominations for County Commissioners being in order,
Mr. Browne, of the House nominated George W. Johnson, and John M. Banks.
No other nominations being made,
The roll was called, and there appeared
For Mr. Johnson, 37 votes.
For Mr. Banks, 34 votes.
Whole number of votes cast, 37.
Necessary to a choice 19.

The members of the House of Representatives voted as follows:
For Messrs. Johnson and Banks—
Messrs. Anderson, Blais, Browne, Harris, Heiskell, Johnson, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs. Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson and Younger—21.

For Mr. Johnson—
Messrs. Banks, McGee and Mr. Speaker—3.
Absent on leave—Mr. Croysdale.

Messrs. Johnson and Banks having recieved a majority of all the votes cast, were delared duly elected County Commissioners.

Nominations for Sheriff being in order,
Mr. McDonald, of the Council, nominated Josiah N. Hargus.

Mr. Whitlock, of the House, nominated John W. Wallace.

Mr. Browne, of the House nominated Samuel J. Jones.

No other nomination being made,
The roll was called, and there appeared
For Mr. Hargus, 11 votes.
For Mr. Wallace, 3 votes.
For Mr. Jones, 23 votes.
Necessary to a choice, 19.

The members of the House of Representatives voted as follows:

For Mr. Hargus—
Messrs. Banks, Heiskell, Wade, Waterson, Wilkinson, and Younger—6.

For Mr. Wallace—
Messrs. McMeekin, Whitlock, and Mr. Speaker—3.

For Mr. Jones—
Messrs. Anderson, Blair, Browne, Harris, Johnson, Kirk, Marshall, Mathias, McGee, Payne, Scott, Tebbs, Ward, Weddle and Williams—15.
Absent on leave—Mr. Croysdale.

Mr. Jones having recieved a majority of all the votes cast, was declared duly elected Sheriff of Douglas County.

On motion by Mr. McGee,
The joint session took a recess until 2 o'clock P. M.

The Council having retired to their Chamber,
The Speaker resumed the chair.

On motion by Mr. Anderson,
The House adjourned.

EVENING SESSION.

House met, pursuant to adjournment.

Pursuant to previous notice, the Council with its officers arrived in the hall of the House.
The President of the Council took the chair, and announced the business of the joint session to be the election of officers.

On motion by Mr. Weddle, of the House,

Resolved, That nominations for entire tickets be made and voted for at the same time.

JOHNSON COUNTY.

Nominations being in order,
Mr. Lykins, of the Council, nominated Alexander S. Johnson for Probate Judge, Joseph Parks and John T. Peery for County Commissioners, and Benjamin F. Johnson for Sheriff.
No other nominations being made, and the roll of the two Houses, having been called, there appeared:
For Messrs. A. S. Johnson for Probate Judge, Joseph Parks and John T. Peery for County Commissioners, and Benjamin F. Johnson for Sheriff, 30 votes.

For Messrs. Joseph Parks and John T. Peery for County Commissioners, and Benjamin F. Johnson for Sheriff, 2 votes.
Whole number of votes cast, 33.
Necessary to a choice, 17.
The members of the House of Representatives voted as follows:

For Messrs. A. S. Johnson, Joseph Parks, John T. Peery, and Benjamin F. Johnson—
Messrs. Anderson, Banks, Blair, Hieskell, Kirk, Marshall, Mathias, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Williams, Wilkinson, Younger—18.
For Messrs. Parks, Peery, and B. F. Johnson—
Messrs. Johnson and Mr. Speaker—2.

Messrs. A. S. Johnson, Joseph Parks, John T. Peery, and B. F. Johnson having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners, and Sheriff of Johnson county.

LYKINS COUNTY.

Nominations being in order,
Mr. Coffey, of the Council, nominated Isaac Jacobs for Probate Judge, James Beets and Henry Snyder for County Commissioners, and B. P. Campbell for Sheriff.
No other nominations being made, and the roll having been called, there appeared:
For Messrs. Jacobs, Beets, Snyder, and Campbell, 33 votes.
Whole number of votes cast, 33.
Necessary to a choice, 17.
The members of the House of Representatives voted as follows:

For Messrs. Jacobs, Beets, Snyder, and Campbell—
Messrs. Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Williams, Wilkinson, Younger, Mr. Speaker—21.
Absent—Messrs. Harris, Whitlock, and Wade—3.
Absent on leave—Mr. Croysdale.

Messrs. Jacobs, Beets, Snyder, and Campbell, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners, and Sheriff.

LINN COUNTY.

Nominations being in order,
Mr. Younger, of the House, nominated Ransom E. Elliott for Probate Judge, Briscoe Davis and Lee Lane for County Commissioners, and John E. Brown for Sheriff.
No other nominations being made, and the roll having been called, there appeared:
For Messrs. Elliott, Davis, Lane, and Brown, 34 votes.
Whole number of votes cast, 34.
Necessary to a choice, 18.
The members of the House of Representatives voted as follows:

For Messrs. Elliott, Davis, Lane, and Brown—

Messrs. Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, Mr. Speaker—22.

Absent—Messrs. Harris and Wade.

Absent on leave—Mr. Croysdale.

Messrs. Elliott, Davis, Lane, and Brown, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners, and Sheriff.

BOURBON COUNTY.

Nominations being in order,

Mr. Anderson, of the House, nominated Samuel A. Williams for Probate Judge, Hiro T. Wilson and Charles Wingfield for County Commissioners.

Mr. Barbee, of the Council, nominated Benjamin F. Hill for Sheriff.

No other nominations being made, and the roll of the two Houses having been called, there appeared:

For Messrs. Williams, Wilson, Wingfield, and Hill, 32 votes.

For Me[illegible] Wilson, Wingfield, and Hill, 2 votes.

Whole number of votes cast, 34.

Necessary to a choice, 18.

The members of the House of Representatives voted as follows:

For Messrs. Williams, Wilson, Wingfield, and Hall—

Messrs. Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Whitlock, Wilkinson, Younger—20.

For Messrs. Wilson, Wingfield, and Hall—Messrs. Williams and Mr. Speaker—2.

Absent—Messrs. Harris and Wade—2.

Absent on leave—Mr. Croysdale.

Messrs. Williams, Wilson, Wingfield, and Hill, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners, and Sheriff.

ALLEN COUNTY.

Nominations being in order,

Mr. Williams, of the House, nominated Charles Passmore for Probate Judge, Barnet Owen, and B. W. Cowden for County Commissioners, and Wm. J. Godfroy for Sheriff.

No other nominations being made, and the roll of the two Houses having been called, there appeared:

For Messrs. Passmore, Owen, Cowden, and Godfroy, 35 votes.

Whole number of votes cast, 35.

Necessary to a choice, 18.

The members of the House of Representatives voted as follows:

For Messrs. Passmore, Owen, Cowden, and Godfroy—

Messrs. Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Mar

shall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, Mr. Speaker—22.
Absent—Messrs. Harris and Wade.
Absent on leave—Mr. Croysdale.

Messrs. Passmore, Owen, Cowden, and Godfroy, having received a majority of all the votes cast, were declared duly elected Judge of Probate Court, County Commissioners, and Sheriff.

ANDERSON COUNTY.

Nominations being in order,
Mr. Barbee, of the Council, nominated George Wilson for Judge of Probate Court, William R. True and John Clark for County Commissioners, and P. D. Cummings for Sheriff.
No other nominations being made, and the roll of the two Houses having been called, there appeared:
For Messrs. Wilson, True, Clark, and Cummings, 36 votes.
Whole number of votes cast, 36.
Necessary to a choice, 19.
The members of the House of Representatives voted as follows:

For Messrs. Wilson, True, Clark, and Cummings—
Messrs. Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, Mr. Speaker—23.
Absent—Mr. Harris.
Absent on leave—Mr. Croysdale.

Messrs. Wilson, True, Clark, and Cummings, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners, and Sheriff.

FRANKLIN COUNTY.

Nominations being in order,
Mr. Coffey, of the Council, nominated J. Yokum for Probate Judge, Wm. McDow and Samuel L. Robertson for County Commissioners, and Richard Golding for Sheriff.
No other nominations being made, and the roll of the two Houses having been called, there appeared:
For Messrs. Yokum, McDow, Robertson, and Golding, 36 votes.
Whole number of votes cast, 36.
Necessary to a choice, 19.
The members of the House of Representatives voted as follows:

For Messrs. Yokum, McDow, Robertson, and Golding—
Messrs Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Wilkinson, Younger, Mr. Speaker—23.
Absent—Mr. Harris.
Absent on leave—Mr. Croysdale.

Messrs. [illegible], [illegible], Robertson, and Golding, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners, and Sheriff.

SHAWNEE COUNTY.

Nominations being in order,

Mr. Strickler, of the Council, nominated William O. Yager for Probate Judge, E. Hoagland and William Yocum for County Commissioners.

Mr. McGee, of the House, nominated George W. Berry for Sheriff.

No other nominations being made, and the roll of the two Houses having been called, there appeared:

For Messrs. Yager, Hoagland, Yocum, and Berry, 34 votes.

Whole number of votes cast, 34.

Necessary to a choice, 18.

The members of the House of Representatives voted as follows:

For Messrs. Yager, Hoagland, Yocum, and Berry—

Messrs. Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Waterson, Weddle, Williams, Wilkinson, Younger, Mr. Speaker—21.

Absent—Messrs. Harris, Whitlock, and Ward.

Absent on leave—Mr. Croysdale.

Messrs. Yager, Hoagland, Yocum, and Berry, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners, and Sheriff.

NEMAHA COUNTY.

Nominations being in order,

Mr. Kirk, of the House, nominated J. C. Thompson for Probate Judge, Jesse Adamson and John Belew for County Commissioners, and James E. Thompson for Sheriff.

No other nominations being made, and the roll of the two Houses having been called, there appeared:

For Messrs. J. C. Thompson, Adamson, Belew, and James E. Thompson, 33 votes.

Whole number of votes cast, 33.

Necessary to a choice, 17.

The members of the House of Representatives voted as follows:

For Messrs. J. C. Thompson, Adamson, Belew, and James E. Thompson—

Messrs. Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Williams, Wilkinson, Younger, Mr. Speaker—22.

Absent—Messrs. Harris and Whitlock.

Absent on leave—Mr. Croysdale.

Messrs. J. C. Thompson, Adamson, Belew, and James E. Thompson, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners and Sheriff.

MARSHALL COUNTY.

Nominations being in order,

Mr. Marshall of the House nominated James Doniphan for Probate Judge, A. G. Woodward and S. J. Cramer for County Commissioners, and A. S. Clark, for Sheriff.

No other nominations being made, and

The roll of the two Houses having been called, there appeared:

For Messrs. Doniphan, Woodward, Cramer and Clark, 32 votes.

Whole number of votes cast, 32.

Necessary to a choice, 17 votes.

The members of the House of Representatives voted as follows:

For Messrs. Doniphan, Woodward, Cramer and Clark—

Messrs. Anderson, Banks, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, McGee, McMeekin, Payne, Tebbs, Wade, Ward, Waterson, Weddle, Williams, Wilkinson, Younger and Mr. Speaker—20.

Absent—Messrs. Harris, Mathias, Scott and Whitlock—4.

Absent on leave—Mr. Croysdale.

Messrs. Doniphan, Woodward, Cramer and Clark, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners and Sheriff.

RILEY COUNTY.

Nominations being in order,

Mr. Donaldson of the Council nominated Clay Thompson for Probate Judge, Thomas Reynolds and William Cuddy for County Commissioners, and John S. Price for Sheriff.

No other nominations being made,

And the roll of the two Houses having been called, there appeared:

For Messrs. Thompson, Reynolds, Cuddy and Price, 35 votes.

Whole number of votes cast, 35.

Necessary to a choice, 18 votes.

The members of the House of Representatives voted as follows:

For Messrs. Thompson, Reynolds, Cuddy and Price—

Messrs. Anderson, Banks, Blair, Browne, Harris, Heiskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Williams, Wilkinson, Younger and Mr Speaker—23.

Absent—Mr. Whitlock.

Absent on leave—Mr. Croysdale.

Messrs. Thompson, Reynolds, Cuddy and Price, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners and Sheriff.

MADISON COUNTY.

Nominations being in order,

Mr. McGee of the House nominated Thomas S. Huffaker for Probate Judge, Thomas B. Elliott and Charles H. Withington for County Commissioners, and John B. Forman for Sheriff.

No other nominations being made,

And the roll of the two Houses having been called, there appeared:

For Messrs. Huffaker, Elliott, Wythington and Forman, 28 votes.

Whole number of votes cast, 28.

Necessary to a choice, 15 votes.

The members of the House of Representatives voted as follows:

For Messrs. Huffaker, Elliott, Wythington and Forman—

Messrs. Anderson, Blair, Browne, Heiskell, Johnson, Kirk, Marshall, McGee, Payne, Scott, Ward, Waterson, Weddle, Williams, Younger and Mr. Speaker—16.

Absent—Messrs. Banks, Harris, Mathias, McMeekin, Tebbs, Wade, Whitlock and Wilkinson—8.

Absent on leave—Mr. Craysdale.

Messrs. Huffaker, Elliott, Wythington and Forman, having received a majority of all the votes cast, were declared duly elected Probate Judge, County Commissioners and Sheriff of Madison county.

FIRST DISTRICT.

Nominations being in order for District Attorney for the first Judicial District,

Mr. Richardson of the Council nominated Charles H. Grover.

No other nominations being made,

And the roll of the two Houses having been called, there appeared:

For Mr. Grover, 31 votes.

For Mr. D. J. Johnson, 1 vote.

Whole number of votes cast, 32.

Necessary to a choice, 17 votes.

The members of the House of Representatives voted as follows:

For Mr. Grover—

Messrs. Anderson, Blair, Browne, Hieskell, Johnson, Kirk, Marshall, McGee, McMeekin, Payne, Scott, Tebbs, Wade, Ward, Waterson, Weddle, Williams, Wilkinson, Younger and Mr. Speaker—20.

Absent—Messrs. Banks, Harris, Mathias and Whitlock—4.

Absent on leave—Mr. Craysdale.

Mr. Grover, having received a majority of all the votes cast, was declared duly elected District Attorney.

SECOND DISTRICT.

Nominations being in order,

Mr. Johnson of the House nominated Horace A. Hutchinson.

No other nominations being made,

And the roll of the two Houses having been called, there appeared:

For Mr. Hutchinson, 28 votes.

For John Martin, 5 votes.

Whole number of votes cast, 33.

Necessary to a choice, 17 votes.

The members of the House of Representatives voted as follows:

For Mr. Hutchinson—
Messrs. Anderson, Browne, Harris, Heiskell, Johnson, Kirk, Marshall, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Williams, Younger and Mr. Speaker—18.
For Mr. Martin—
Messrs. Blair, Wade and Wilkinson—2.
Absent—Messrs. Banks, Mathias and Whitlock—3.
Absent on leave—Mr. Croysdale.

Mr. Hutchison, having received a majority of all the votes cast, was declared duly elected District Attorney.

THIRD DISTRICT.

Nominations being in order,
Mr. Donaldson of the Council nominated John T. Brady.
No other nominations being made,
And the roll of the two Houses having been called, there appeared:
For Mr. Brady, 25 votes.
For Mr. John Martin, 3 votes.
For Mr. R. Wilson, 1 vote.
Whole number of votes cast, 29.
Necessary to a choice, 15 votes.
The members of the House of Representatives voted as follows:

For Mr. Brady—
Messrs. Anderson, Blair, Browne, Heiskell, Johnson, Marshall, Scott, Tebbs, Wade, Waterson, Weddle, Williams, Wilkinson and Younger—14.
For Mr. Martin—Mr. Kirk.
For Mr. Wilson—Mr. Speaker.
Absent—Messrs. Banks, Harris, Mathias, McGee, McMeekin, Payne, Ward and Whitlock—8.
Absent on leave—Mr. Croysdale.

Mr. Brady, having received a majority of all the votes cast, was declared duly elected District Attorney.

On motion by Mr. Anderson of the House,
The joint session was dissolved;
The Council having retired to their chamber.

The Speaker resumed the chair.

Mr. Wilkinson, from the committee on enrolled bills, reported as truly enrolled, House bills of the following titles:
An act more specifically to define the boundaries of Atchison county.
An act to incorporate the Mount Vernon Town Company.
An act to charter a Ferry across the Missouri river at the town of Palermo.

On motion by Mr. McMeekin,
The House bill entitled

An act to authorize James Findley to construct a bridge across the Wakarusa river,

Was taken up, and

The Council amendment read a first time, and

On motion by Mr. Johnson,

The rule was suspended, and the amendment read a second time, and

On motion by Mr. McMeekin,

The rule was again suspended and the amendment read a third time, and agreed to.

Message from Acting Governor Woodson, by Mr. Lowry, his Private Secretary:

EXECUTIVE DEPARTMENT, Aug. 25, 1855.

To the Honorable the House of Representatives of the Territory of Kansas:

I have the honor to announce that I have signed House bills of the following titles:

An act to incorporate the Atchison Town Company.

An act to declare a certain road a territorial road.

An act entitled an act to locate and establish a territorial road from the town of Atchison to the town of Osawkee.

An act respecting lost money and goods.

An act to establish a road from Osawkee to Grasshopper Falls.

An act to establish a territorial road from St. Joseph to Marysville.

An act entitled an act to establish a territorial road from a point on the old California road on the west side of Little Wakarusa, to Matthew Rule's on Big Wakarusa.

An act entitled an act to locate a territorial road.

An act entitled an act to incorporate the Lecompton Bridge Company.

An act to establish a territorial road from the town of Delaware on the Missouri river, to the town of Calhoun on the Kansas river.

An act concerning debtors and their securities.

An act to establish a Ferry at Lewis' Point, on the Missouri river.

An act for a territorial road from the town of Atchison to the town of Marysville.

An act entitled an act to establish a territorial road from a point above Franklin on the California road, *via* the Lake and Kansas river shore to the town of Lecompton.

An act to establish a territorial road from a point opposite St. Joseph, Mo., to Fort Riley in the Territory of Kansas.

An act authorizing officers to call to their assistance the power of the county.

An act entitled an act to locate and establish a territorial road from the town of Atchison to the town of Iola in the Territory of Kansas.

An act to establish a road from Kickapoo to Money creek in the Territory of Kansas.

An act entitled an act to locate and establish a territorial road from the town of Mount Vernon, on the Missouri river, to the town of Calhoun on the Kansas river.

An act to provide for the location of territorial roads in the Territory of Kansas.

An act to establish a territorial road from Whitehead to intersect the St. Joseph and Fort Riley road.

An act to establish a ferry on the Mariedecyne river, in the Territory of Kansas.

An act to incorporate the Lecompton Town Company.

An act to view and mark out a road from Black Jack Point, on the Santa Fe road, thence by the way of Joab M. Bernard's store to a point on the Santa Fe road at or near McGee's on the 110 creek.

An act to define the boundaries of the several counties.

DANIEL WOODSON,
Acting Governor.

On motion by Mr. Anderson,
The House adjourned.

MONDAY MORNING, AUGUST 27, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery.

The journal of Saturday was read and approved.

Mr. Harris, chairman of the select committee to whom was referred House bill entitled

An act to regulate the practice of medicine in Kansas Territory,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Mr. Weddle, chairman of the committee on accounts, made the following report:

MR. SPEAKER:

The committee on accounts beg leave to make the following report:

The Legislature of Kansas were convened by A. H. Reeder, Governor of said Territory, at the town of Pawnee, and that then and there they were recognized as a legal body, and as such they passed an act locating the temporary seat of government at the Shawnee Manual Labor School, and by a concurrent resolution adjourned to meet at said mission, resulting in cost to the members: therefore the committee believe, that in the strictest meaning of the law, they are entitled to mileage from their respective homes to Pawnee, and back home, by way of said mission.

J. WEDDLE, *Chairman.*
JAMES WHITLOCK.
O. H. BROWE.

The report was agreed to.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act prescribing the jurisdiction and terms of the district courts,

Reported the same back with the following amendments:

Amend the enacting clause so as to make it read, "An act prescribing the jurisdiction of the district court in certain cases, and for other purposes."

In section 3, after the word "the," in the tenth line, insert the words "clerk thereof." Also, insert the word "clerk" in the 13th line, after the word "the." And in the 14th and 15th lines, strike out the words "court in course," and insert the words "until the next regular term."

And as amended recommended its passage.

The report was agreed to, and,

On motion by Mr. Payne,

The rule was suspended, and the amendment read a second time and agreed to, and

The bill as amended read a third time and passed.

Mr. Mathias chairman of the same committee, to whom was referred Council bill entitled

An act to incorporate the Leavenworth Jail Association,

Reported the same back without amendment and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

The rule requiring the ayes and noes having been suspended.

Mr. Marshall, chairman of the committee on elections, to whom was referred Council bill entitled

An act to organize, discipline, and govern the militia of the Territory,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bills entitled

An act concerning crimes, and the punishment of offenses against the persons of individuals,

Reported the same back without amendment,

And recommended its passage.

The report was agreed to,

And the bill read a third time and passed.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred concurrent resolution in regard to the printing of certain bills,

Reportep the same back, and recommended its rejection.

And also reported the following substitute therefor, and recommended its passage.

Be it resolved, By the House of Representatives, the Council concurring therein, that the committee on public printing be and they are hereby instructed to direct the printing of three hundred copies of the bill entitled

An act supplemental to an act for the collection of the revenue.

Also, three hundred copies of the bill entitled

An act regulating elections.

And three hundred copies of the bill entitled

An act to define the boundaries of counties, &c.

And that one hundred and fifty copies of each be delivered to the Secretary of the Territory, who shall, on or before the first Monday in October next, furnish four copies each to the sheriffs of the several counties of this Territory, and the balance for the use of the members of this House.

The report was agreed to, and

The substitute read a first time, and,

On motion by Mr. Mathias,

The rule was suspended, and the resolution read a second time and agreed to.

Mr. Marshall, from the same committee, to whom was referred House bill entitled:

An act to exempt certain property from execution,

Made a minority report, and recommended its passage.

The report was agreed to, and

The bill read a third time.

Messrs. Mathias and Anderson, from the same committee, made a majority report against the passage of the bill.

The report was agreed to.

On motion by Mr. McMeekin,

The bill was laid over, and made the special order for three o'clock this evening.

The following message was received from acting Governor Woodson, by Mr. Lowry, his private Secretary:

EXECUTIVE DEPARTMENT, Aug. 24, 1855.

To the Honorable the House of Representatives of the Territory of Kansas:

I feel it to be my duty to return to your House, in which it originated, the bill entitled "An act to provide for paying the clerks of the present Legislative Assembly," with my objections. I am unable to give the bill my official sanction, because, in my opinion, every section of it violates the provisions of the act of Congress entitled "An act to organize the Territories of Nebraska and Kansas."

The first section provides that the Secretary of the Territory "be and he is hereby authorized to pay to the engrossing clerks, enrolling clerks of the two Houses, also to the second assistant clerk of the House, the amount of pay due them at the rate of three dollars per day from the day of their election or appointment;" and the second section provides that "the Secretary aforesaid shall pay to J. M. Fox, or to his order, the amount due him as engrossing clerk to the House, from the day of his appointment to the day of his resignation, inclusive, at the per diem above stated; and also to Rev. John T. Peery, chaplain for the two Houses, at the rate of three dollars per day from the date of his appointment."

These provisions seem to me to be in clear violation of the 30th section of our organic act, which, after prescribing the per diem and mileage of the members of the Legislative Assembly, and an additional compensation for the presiding officers of each House, provides that "a chief clerk, one assistant clerk, a sergeant-at-arms, and doorkeeper may be chosen for each House, and the chief clerk shall receive four dollars per day, and the said other officers three dollars per day, during the session of the Legislative Assembly; *but no other officers shall be paid by the United States.*" Here is a positive prohibition, from which it seems to me there can be no escape, for the Secretary to pay any other officers of the Assembly, except the chief clerk, one assistant clerk, a sergeant-at-arms, and a doorkeeper, for each House.

The third section provides that "the committee on accounts of the House in which the said officers are engaged, shall certify to the said Secretary the amount due them for services, and the said certificate shall be sufficient vouchers for the said Secretary for the payment of the same."

This provision seems also to be in conflict with the 30th section of the organic act of the Territory, which provides that there shall be "appropriated annually a sufficient sum to be expended by the Secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses; and the Governor and Secretary of the Territory shall, in the disbursement of all moneys intrusted to them, be governed solely by the instructions of the Secretary of the Treasury of the United States, and shall semi-annually account to the said Secretary for the manner in which the aforesaid moneys shall have been expended; and no expenditure shall be made by said Legislative Assembly for objects not specially authorized by the acts of Congress making the appropriation, nor beyond the sums thus appropriated for such objects.

Here, it will be observed, the Secretary of the Territory is required, in the disbursement of all moneys entrusted to him, to be *governed solely by the instructions of the Secretary of the Treasury of the United States*, to whom he is also required to account for the manner in which the aforesaid moneys shall have been expended, and not the Legislative Assembly of the Territory, as the third section of the bill now under consideration would seem to imply.

It may be contended, that as the organic act expressly provides that the fund to be expended by the Secretary of the Territory is avowedly for the purpose of defraying the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses, therefore it is competent that a portion of it should be applied to the payment of the chaplain of the two Houses, the engrossing and enrolling clerks, and the second assistant clerk of the House of Representatives, as expenses necessarily incidental to the Legislative Assembly. However plausible, and perhaps conclusive, this view might be in the absence of any clause in the organic act forbidding the payment of such officers, it loses all its force when it is recollected that in the thirtieth section, after providing for the election and compensation of a chief clerk, one assistant clerk, a doorkeeper, and sergeant-at-arms, for each House of the Legislative Assembly, the organic act declares most emphatically that "no other officers shall be paid by the United States;" thus leaving the inference, that if other officers shall be needed and appointed by the Legislature, provisions should be made for their payment out of the territorial treasury, and not out of the Legislative fund, which, as before stated, is required to be expended solely under the instructions of the Secretary of the Treasury of the United States.

Respectfully,

DANIEL WOODSON,
Acting Governor.

Mr. Hieskell, from the committee on enrolled bills, reported as truly enrolled House bills of the following titles:

An act to incorporate the town of Indianola.

An act to incorporate the town of Douglas.

An act to incorporate the town of Paola.

An act to incorporate the town of Lecompton.
An act to establish a ferry.
An act prescribing certain regulations touching territorial roads.
An act to incorporate the Louisiana Town Company.
An act to authorize James Findley to establish a bridge across the Wakarusa river.

On motion by Mr. Speaker Stringfellow,
Mr. Waterson in the chair,
The House bill No. 109, entitled
An act to regulate elections,
Was taken up.
On motion by Mr. Speaker Stringfellow,
The House adhered to its disagreement to Council amendment in regard to the manner of voting, by the following vote,
Mr. Anderson having demanded the ayes and noes:

AYES—Messrs. Anderson, Browne, Harris, Hieskell, Kirk, Marshall, Mathias, McMeekin, Scott, Tebbs, Ward, Whitlock, Mr. Speaker—13.
NOES—Messrs. Banks, Blair, Croysdale, Johnson, McGee, Payne, Wade, Waterson, Weddle, Younger—10.
Absent—Messrs. Williams and Wilkinson—2.

Message from the Council, by Mr. Grover, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed a Council bill entitled
An act to incorporate the Town Company of Iola, in the county of Doniphan, in the Territory of Kansas.

On motion by Mr. McMeekin,
The House bill No. 182, entitled
An act to incorporate the Leavenworth Bank,
Was taken up, and
The bill read a third time.
Mr. Weddle offered the following amendment by way of rider:
Amend section 6, by inserting, that "in case one hundred thousand dollars shall not be raised, that all subscriptions paid in shall be refunded to the subscribers paying them in."
The amendment was read a first time, and,
On motion by Mr. Anderson,
The rule was suspended, and the amendment read a second and third time, and,
On motion by Mr. Mathias,
The amendment was rejected, by the following vote,
Mr. Weddle having demanded the ayes and noes:

AYES—Messrs. Anderson, Croysdale, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Tebbs, Ward, Whitlock, Mr. Speaker—13.
NOES—Messrs. Banks, Blair, Browne, Harris, Hieskell, Scott, Wade, Weddle, Younger—9.
Absent—Messrs. Williams and Wilkinson—2.

Mr. Waterson was excused from voting.

Mr Scott offered the following amendment by way of rider:

Amend sec. 3, by striking out the word "Leavenworth," and inserting in lieu thereof "Lecompton,"

Which was read a first time, and

On motion by Mr. Anderson,

The amendment was rejected.

Mr. McGee offered the following amedment by way of rider:

Amend sec. 36, No person shall become or continue to be a stockholder in the bank created by this act, who is either directly or indirectly a stockholder in any other bank incorporated by this present legislature; except such persons to whom such stock may have been *bona fide* mortgaffed by way of security, for debts contracted and due, or who may have purchased such stock at sales upon judgment for debt,

Which was read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the bill read a second time.

Mr. McGee moved a suspension of the rules, and that the bill be read a second time,

Which was lost.

Mr. Speaker Stringfellow, (Mr. Waterson in the chair,)

Called for the previous question.

The question then being,

Shall the main question be put?

It was decieed in the affirmative.

The question then being upon the passage of the bill,

It was passed by the following vote,

The ayes and noes being required:

AYES—Messrs. Anderson, Croysdale, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Tebbs, Ward, Whitlock, and Mr. Speaker—13.

NOES—Messrs. Banks, Blair, Browne, Harris, Hieskell, Scott, Wade, Waterson, Weddle, and Younger—10.

Absent—Messrs. Williams, and Wilkinson—2.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed the following enrolled House bills:

An act providing for the erection of public buildings at the seat of government.

An act to incorporate the Kansas University.

An act to confirm and make valid certain acts of the Judge of the First District Court of the Territory of Kansas.

An act for the relief of debtors.

An act to prevent obstructions across the Big Sugar Creek.
An act providing for the establishment of common schools.
An act concerning jurors.
An act to incorporate the Town Company of Osawkee.
An act to provide for the punishment of offences against the public health.
An act entitled an act to establish a territorial road from the Willow Spring to Douglas.
An act supplemental to an act entitled
An act to establish a territorial road from opposite Boston, Mo., to a point on the California road; at or near the Half-way Grove, in the Territory of Kansas.
An act to incorporate the Calhoun Town Company.
An act to prevent non-residents from grazing stock in Kansas Territory.
An act to establish a Ferry across the Kansas river at the town of Lawrence, Kansas Territory.
An act to provide for the call of a Convention to form a State Conttitution.
An act to incorporate Alexandria.
An act respecting seed horses.
An act supplemental to an act to provide for the collection of the revenue.

Also,

That the following Council bills have been introduced into and passed the Council:

An act to fix the times of holding the supreme court.
An act to amend an act entitled an act to punish offences against slave property.
An act to incorporate the Saline Gypsum Association,
An act to define the meaning of certain words.
An act to appropriate money for house rent.
An act providing for the pay of the chief and Assistant clerks of the Council and House of Representatives.
An act to authorize John G. McClelland and Clarkson Wallace to build a toll bridge.
An act to incorporate the Leavenworth Improvement Association.

Also,

A concurrent resolution in relation to farms.

Mr. Marshall offered the following concurrent resolution:

Be it resolved, By the House of Representatives, the Council concurring therein, that one thousand copies of the military law of the Territory of Kansas shall be printed, and stitched together, to be distributed under the order and by the direction of the Adjutant General, and who shall furnish each commissioned military officer with at least one copy,

Which was read a first time, and

On motion by Mr. Anderson,

The rule was suspended, and the amendment read a second and third time and passed.

Mr. Banks offered the following resolution:

Resolved, That the committee on county bounds and districts, to whom was referred a petition for the location of the seat of justice for Douglas county, be required to report the same back to this House at 2 o'clock this afternoon.

Which was read a first time, and,

Mr. Speaker Stringfellow, (Mr. Waterson in the Chair,)
Moved that the resolution be rejected,
Which was lost,
By the following vote,
Mr. Banks called for the ayes and noes:

AYES—Messrs. Anderson, Kirk, Mathias, McMeekin, Payne, Tebbs, and Mr. Speaker—7.

NOES—Messrs. Banks, Blair, Browne, Croysdale, Harris, Hieskell, Johnson, Marshall, McGee, Scott, Wade, Waterson, Weddle, Whitlock, and Younger—15.

Absent—Messrs. Ward, Williams, and Wilkinson—3.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed a bill entitled
An act to incorporate the Kansas River Bridge Company.

On motion by Mr. Anderson,
The House adjourned.

EVENING SESSSION.

House met, pursuant to adjournment.

The roll of the House was called.

Members Absent—Messrs. Browne, Harris, Marshall, Mathias, Scott, Weddle and Wilkinson—7.

Mr. Williams, chairman of the committee on bounds of counties and districts, and Mr. Kirk, of the same committee, to whom was referred House bill No. 176, entitled
An act authorizing the re-location of the seat of justice of Douglas county,
Made a minority report, and
Recommended the rejection of the bill.
The report was agreed to, and,
The bill rejected.

Messrs. Johnson, Younger and McMeekin, from the same committee,
Submitted a majority report, and
Recommended the passage of the bill.
The report was received, and,
Laid on the table.

The chair having decided the proceedings out of order.
Mr. Whitlock appealed from the decision of the chair.
The question then being
Shall the chair be sustained?
It was decided in the affirmative.

Mr. Williams, chairman of the same committee, to whom was referred House bill entitled
An act supplemental to an act entitled an act to define the boundaries of the several counties in the territory of Kansas,
Reported the same back and recommended its rejection.
The report was agreed to, and
The bill rejected.

On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The Council bill entitled
An act to incorporate the Centreville Seminary and Town Association,
Was taken up, read a first time, and,
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Weddle,
The rule was again suspended, and the bill was read a third time, and passed,
The rule requiring the ayes and noes,
Having been suspended.

On motion by Mr. Kirk,
The Council bill entitled
An act to incorporate the Town Company of Iola, in the county of Doniphan, in the Territory of Kansas,
Was taken up, and read a first time, and,
On his further motion,
The rule was suspended and the bill read a second time, and,
On his further motion,
The rule was again suspended, and the bill read a third time, and passed.
The rule requiring the ayes and noes, having been suspended.

On motion by Mr. Mathias,
The Council bill entitled
An act to incorporate the Kansas River Bridge Company,
Was taken up, and read a first time, and,
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time and
Referred to the committee on corporations.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the following bills:

An act to incorporate the Whitehead Town Company.
An act to provide for holding probate courts.

An act supplemental to an act entitled an act to regulate elections.

On motion by Mr. Payne,
The rule was suspended in order to take up Council bills.

The following Council bills were taken up, read a first time, and disposed of, as follows:
An act to incorporate the Leavenworth Improvement Association,
On motion by Mr. Payne,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The bill was referred to the committee on corporations.

An act to amend an act entitled an act to punish offenses against slave property.
On motion by Mr. Mathias,
The bill was rejected.

An act to provide for the pay of officers and others.
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Marshall,
The rule was again suspended, the bill read a third time, and passed.

An act to define the meaning of certain words,
On motion by Mr. Wade,
The rule was suspended, and the bill read a second and third time, and passed.
An act to authorize John G. McClelland and Clarkson M. Wallace to build a toll bridge.
On motion by Mr. Whitlock,
The rule was suspended, the bill read a second and third time, and passed.

An act supplemental to act regulating elections,
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and,
Referred to the committee on judiciary and criminal jurisprudence.

An act to provide for holding probate courts,
On motion by Mr, Wade,
The rule was suspended, and the bill read a second time, and
On motion by Mr. Blair,
The rule was again suspended, and the bill read a third time and passed.

An act to fix the time of holding the supreme court,
On motion by Mr. Waterson,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Weddle,
The rule was again suspended, and the bill read a third time and passed.

An act to appropriate money for house rent,
On motion by Mr. Waterson,
The rule was suspended and the bill read a second time, and,

On motion by Mr. Tebbs,
The bill was referred to the committee on accounts.

An act to incorporate the Territorial Agricultural Society,
On motion by Mr. Marshall,
The rule was suspended, and the bill read a second time, and
Referred to the committee on agriculture.

An act providing for the pay of the chief clerk and assistant clerks of the Council and House of Representatives,
On motion by Mr. Wade,
The rule was suspended, and the bill read a second time, and
On motion by Mr. Mathias,
The bill was laid over until to-morrow morning.

Mr. Marshall offered the following resolution,
Which was adopted.

Be it resolved, That the committee on public printing be instructed to direct printing of fifty copies of the list of the acts of each House that have been enrolled to date.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed the following enrolled House bills:
An act entitled an act to authorize James Findley to establish a bridge across the Wakarusa river.
An act to incorporate the town of Paola.
An act more especially to define the county boundaries of the county of of Atchison.
An act to prevent the firing of woods, marshes, and prairies.
An act to incorporate the Mount Vernon Town Company.
An act to charter a ferry across the Missouri river at the town of Palermo.
An act to incorporate the Town of Indianola.
An act to incorporate the town of Douglas.
An act to establish a ferry.
An act prescribing certain regulations touching territorial roads.
An act to incorporate the Louisiana Town Company.
An act to incorporate the city of Lecompton.
Also,
That the Council has insisted on its amendment to House bill entitled
An act to regulate elections.
And has appointed a committee of conference consisting of Messrs. Coffey, Forman and Rees.

The Speaker appointed a committee of conference consisting of Messrs. Tebbs, Marshall and Mathias, to meet a similar committee on the part of the Council, in regard to the bill regulating elections.

On motion by Mr. Mathias,

The vote passing the bill entitled
An act to fix the time of holding the Supreme Courts,
Was reconsidered.
On motion by Mr. Mathias,
The bill was taken up.
Mr. Mathias offered the following amendment by way of rider:
Amend by way of rider; at the end of the first section, add "but nothing herein contained shall prevent the said court from holding adjourned terms whenever the Judges thereof shall deem it necessary."
Which was read a first time, and
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The rule was supended and the amendment read a second ttme,
The rule again suspended, the amendment read a third time and agreed to;
And the bill as amended passed.

Mr. McGee, chairman of the select committee to whom was referred House bill entitled
An act to exempt slaves from sale under execution,
Reported a substitute to said bill of the same title, and recommended its passage.
The report was agreed to, and
The substitute read a first time, and
On motion by Mr. McGee,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Anderson,
The bill was rejected, by the following vote,
Mr. Blair having demanded the ayes and noes:

Ayes.—Messrs. Anderson, Blair, Croysdale, Hieskell, Kirk, Mathias, Payne Scott, Tebbs, Wade, Ward, Waterson, Weddle, Whitlock, Younger and Mr. Speaker—16.
Noes.—Messrs. Banks, Browne, Marshall and McGee—4.
Absent—Messrs. Harris, Johnson, McMeekin, Williams and Wilkinson, 5.

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives, that the following Council bill has passed the Council:
An act attaching certain territory to the county of Madison.

On motion by Mr. Wade,
The House adjourned.

TUESDAY MORNING, August 28, 1855.

The House met, pursuant to adjournment.

Prayer was offered by the Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

The roll of the House was called.
Members absent—~~Messrs.~~ Anderson, Browne, Harris, Johnson, Marshall, Mathias, McGee, McMeekin, Payne, Tebbs, Williams, Wilkinson and Younger—13.

The Sergeant-at-Arms was ordered to bring in absent members.

The Speaker appointed Messrs. Anderson, Marshall and Williams, as a committee of conference, to meet a similar committee on the part of the Council, in regard to the "act regulating the interest of money."

Mr. Kirk, from the committee on roads and highways, to whom was referred Council bill entitled
An act to declare a road leading from Gerard's old crossing, on the Big Osage river, by way of Kleitone, to the mouth of Salt Fork of the Arkansas river,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and,
The bill read a third time and passed.

Mr. Hieskell, from the committee on enrolled bills, reported as truly enrolled, the following House bills:
An act to incorporate the Delaware Town Company.
An act to incorporate the Fort Scott Town Company.
An act to provide for the institution and support of a University in Kansas Territory.
An act to incorporate the Kansas Mining Company.

Mr. Banks, chairman of the committee on agriculture, to whom was referred Council bill entitled
An act to incorporate the Territorial Agricultural Society.
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and,
The bill read a third time and passed.
The rule requiring the ayes and noes having been suspended.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled
An act to incorporate the Leavenworth Improvement Association,
Reported the same back with the following amendment:
Add
Sec. 6. Nothing within this act of incorporation shall be so construed as to allow said association to purchase and hold or sell real estate for the mere purpose of speculation, aside from what they may acquire or purchase to

secure debts due the Association, legitimately created by improvements made by said Association within the corporate limits of the city of Leavenworth.

And as amended recommended its passage.

The report was agreed to, and

On motion by Mr. Waterson,

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended, read a third time and passed,

The rule requiring the ayes and noes having been suspended.

Mr. Waterson, chairman of the same committee to whom was referred Council bill entitled

An act to incorporate the Kansas River Bridge Company,

Reported the same back with the following amendments:

Amend section 2, in the 4th line, between the words 'Kansas' and 'bridge,' insert "river."

In the 12th line, between the words "estate" and "and," insert "so much as may be necessary for the construction of said bridge."

Add

Sec. 4. No privilege granted in this act shall be so construed so as to conflict with any of the rights and privileges of the Lecompton Bridge Company, by the present Legislative Assembly.

And as amended recommended its passage.

The report was agreed to, and

The amendment was read a first time, and,

The rule was suspended, and the amendment read a second time, and agreed to, and

The bill as amended read a third time and passed.

The rule requiring the ayes and noes having been suspended.

Mr. McMeekin, chairman of the committee on public printing, made the following report:

Mr. Speaker:

The committee on public printing beg leave respectfully to submit the following statement of the Public Printer as furnished this committee:

The report includes the whole amount of incidental printing done for this House up to the present time, which will appear by the statement herewith returned. H. D. McMEEKIN, Chairman.

The report was agreed to.

Mr. Hieskell, from the committee on enrolled bills, reported as truly enrolled, House bills of the following titles:

An act to permanently establish a Medical College at the town of Lecompton.

The reading of Council bills being in order,

The following Council bills were read a third time and severally disposed of as follows:

An act providing for the pay of the chief and assistant clerks of the Council and House of Representatives,

Was passed.

An act to exempt certain property,

Was passed.

The following Council bills were read a first time:

An act attaching certain territory to the county of Madison.

On motion by Mr. Hieskell,

The rule was suspended, and the bill read a second time, the rule again suspended and the bill read a third time, and passed.

An act to incorporate the Saline Grasshopper Association.

On motion by Mr. Anderson,

The rule was suspended and the bill read a second time, and,

On motion by Mr. Weddle,

Referred to the committee on corporations.

An act to incorporate the Whitehead Town Company.

On motion by Mr. Hieskell,

The rule was suspended and the bill read a second time, and,

On motion by Mr. Weddle,

The rule was again suspended, and the bill read a third time, and passed.

The rule requiring the ayes and noes having been suspended.

An act establishing the counties of Washington and Marion, and to define their boundaries.

On motion by Mr. Weddle,

The rule was suspended and the bill read a second time, and

Referred to the committee on bounds of counties and districts.

An act concerning an act entitled an act concerning corporations.

On motion by Mr. Anderson,

The rule was suspended and the bill read a second time, and

Referred to the committee on corporations.

An act in relation to Arapahoe county, and attaching certain territory.

On motion,

The rule was suspended and the bill read a second time, and,

On motion by Mr. Anderson,

The bill was referred to the committee on bounds of counties and districts.

The Council bill returned by the Council, with a refusal to concur in the House amendment, entitled

An act defining the punishment of offenses against public morals and decency,

Was taken up, and,

On motion by Mr. Anderson,

The House receded from its amendment.

Mr. Anderson, from the committee on conference, to consider House amendments to Council bill, entitled

An act to regulate the interest of money,

Reported that the committee had agreed that the Council should agree to recede from its disagreement to House amendment, and pass said bill as amended by the House.

The report was agreed to.

On motion by Mr. Speaker Stringfellow,

Mr. Anderson in the chair,

The committee on apportionment of districts were required to report.

The Council concurrent resolution in regard to requiring the commissioners superintending the printing of the laws to furnish the sheriff of each county with a copy,

Was taken up, and read a first time, and,

On motion by Mr. Speaker Stringfellow,

Mr. Anderson in the chair,

The rule was suspended, and the resolution read a second time, and agreed to.

The joint resolution of the Council, to employ R. R. Rees to prepare a book of forms,

Was taken up, read a first time, and,

On motion by Mr. Anderson,

The rule was suspended, and the resolution read a second and third time, and passed.

Mr. McGee, from the select committee to whom was referred House bill entitled

An act to establish a ferry at the town of Douglas, on the Kansas river,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and the bill was read a third time, and passed.

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the following House bills have passed the Council:

An act supplemental to and amendatory of an act providing for the pay of the clerks of the present Legislature.

An act to establish a ferry across the Kansas river, opposite the town of Lecompton.

An act to incorporate the Port William Town Company.

An act to incorporate the Richmond Town Company, as amended.

An act to encourage agriculture in the Territory of Kansas.

An act to incorporate the Washington Town Company.

An act to incorporate the Marysville Town Company.

An act to establish a territorial road.

Also,

House concurrent resolution in regard to memorializing Congress for a grant of lands for a Territorial University, has been adopted, and Mr. Strickler has been appointed as the Council committee.

Also,

The following Council bills:

An act concerning an act entitled an act concerning corporations.

An act in relation to Arapahoe county, and attaching certain Territory.

An act establishing the counties of Washington and Marion.

Also,

That the Council has passed a joint resolution in regard to employing R. R. Rees to prepare a book of forms for the Territory.

Also,

That the Council has concurred in the House amendments to the following Council bills:

An act in relation to the general provisions regulating crimes and punishments.

Also,

Disagreed to House amendments to Council bill entitled

An act defining the punishment of offenses against public morals and decency.

Also,

That the Council has agreed to House amendments to Council bills entitled

An act to incorporate the Alexandria Coal Mining Company.

An act for the regulating and management of the territorial library.

Also,

That the following House bills have been laid on the table:

An act to prohibit incorporated companies from dealing in real estate.

An act to incorporate the Leavenworth Bank.

Mr. Marshall, from the committee on conference to consider the election bill, reported the following provisions as a substitute to Council amendment to the bill in regard to voting:

All voting shall be by ballot until the first day of November, 1856, and from and after that time the voting shall be *viva voce.*

The report was agreed to.

Mr. Anderson offered the following resolution, which was adopted:

Resolved, That after the hour of half-past two o'clock, P. M., no new bills shall be acted upon by the House, unless leave be granted by a vote of two-thirds of the members present.

On motion by Mr. Anderson,

The House bill No 108, entitled

An act to regulate elections,

Was taken up, and the amendments prepared by the committee of conference read a first time, and,

On motion by Mr. Johnson,

The rule was suspended, and the amendments read a second and third time, and agreed to.

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled Council bills of the following titles:

An act providing for the appointment of constables, and prescribing their duties.

An act to regulate proceedings upon writs of *mandamus.*

An act to declare certain roads public highways.

An act to establish the office of county treasurer.

An act to incorporate the Occidental Telegraph Company.

An act to establish a territorial road from Wyandott, *via* Jacksonville, to Osawkee.

An act to establish a territorial road from the town of Kickapoo, through the valley of Salt creek, to the city of Leavenworth.

An act concerning evidence.

An act respecting salvage.

An act to incorporate Fort Scott University.

An act providing a system of confinement and hard labor.

An act to incorporate the town of Benicia.

An act to incorporate the Kaw River Telegraph Company.

An act to authorize Fox B. Booth to keep a ferry.

An act respecting aliens.

An act concerning forcible entries and detainers.

An act to incorporate a ferry at the town of Palermo, in the Territory of Kansas.

An act to incorporate the town of Delaware.

An act to incorporate the Paola Town Company.

An act to regulate wills.

An act providing for the location of the county seat of Leavenworth county.

Mr. McGee, chairman of the select committee to whom was referred Council bill entitled

An act to incorporate the Lavinia Town Association,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

The rule requiring the ayes and noes having been suspended.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act for the protection of married women,

Reported the same back, and recommended its rejection.

The report was received, and

The bill read a third time.

Mr. Younger asked for a call of the House.

Members absent—Messrs. Harris, Johnson, McMeekin, Wilkinson—4.

The Sergeant-at-arms was required to bring in absent members.

The question being upon agreeing to the report,

Mr. Speaker Stringfellow (Mr. Waterson in the chair) called for the ayes and noes,

Which resulted as follows:

Ayes—Messrs. Anderson, Harris, Marshall, Mathias, Payne, Tebbs, Wade, Ward, Whitlock, Williams—10.

Noes—Messrs. Banks, Browne, Croysdale, Hieskell, Kirk, McGee, McMeekin, Scott, Weddle, Younger, Mr. Speaker—11.

Absent—Messrs. Johnson and Wilkinson—2.

Excused from voting—Messrs. Blair and Waterson—2.

So the report was rejected.

Mr. Anderson moved that the bill be indefinitely postponed,

Message from the Council by Mr. Grover, Assistant Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that "An act to regulate elections" has passed the Council, as amended.

Also,

That the Council concurs in the House amendments to Council bill entitled

An act regulating the interest of money:

Also,

That the Council adheres to disagreement to House amendments to Council bill entitled

An act to provide for the election of Public Printer.

Also,

That John A. Halderman has tendered his resignation as chief clerk of the Council, to take effect in sixty days from the adjournment of the present Legislative Assembly.

On motion by Mr. Payne,

The House adjourned.

EVENING SESSION.

The House met, pursuant to adjournment.

The roll of the House was called.

Members absent—Messrs. Johnson, Mathias, and Wilkinson—3.

Question recurring upon the motion to indefinitely postpone the Council bill entitled

An act for the protection of married women,

It was lost, by the following vote,

Mr. Anderson having demanded the ayes and noes:

AYES—Messrs. Anderson, Johnson, Marshall, Payne, Tebbs, Wade, Ward, Williams—8.

NOES—Messrs. Banks, Blair, Browne, Croysdale, Harris, Hieskell, Kirk, McGee, McMeekin, Scott, Waterson, Weddle, Younger, Mr. Speaker—14.

Absent—Messrs. Mathias and Wilkinson—2.

Mr. Whitlock was excused from voting.

On motion by Mr. Waterson,

The bill was referred to a select committee, consisting of Messrs. Waterson, Browne, and Hieskell;

On motion by Mr. McGee,

The committee was instructed to report by to-morrow morning.

Mr. Williams, chairman of the committee on bounds of counties and districts, to whom was referred the Council bill entitled

An act establishing the counties of Washington and Marion,

Reported the same back with the following amendment:

Strike out the name of "Anderson," and insert the name of "Butler."

And as amended recommended its passage.

The report was agreed to, and,

On motion by Mr. Anderson,

The rule was suspended, and the amendment read a second and third time, and agreed to, and

The bill as amended read a third time and passed.

Message from the Council by Mr. Rees, a member:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the Council has passed the Council bill entitled

An act prescribing the time of holding district courts.

On motion by Mr. Waterson,

The Council bill entitled

An act prescribing the time of holding the district courts,

Was taken up, and read a first time.

Mr. McMeekin moved to reject the bill.

Which was lost.

On motion by Mr. Waterson,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. McMeekin,

The bill was referred to a select committee, consisting of Messrs. McMeekin, Waterson, and Kirk.

And the committee were instructed to report by morning.

Mr. Hieskell, from the committee on enrolled bills, reported as truly enrolled House bills of the following titles:

An act supplemental to and amendatory of an act providing for the pay of the clerks of the present Legislature.

An act to incorporate the Washington Town Company.

Mr. McGee, chairman of the select committee to whom was referred Council bill entitled

An act to incorporate the Neosho Town Company,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and

The bill read a third time and passed.

The rule requiring the ayes and noes having been suspended.

Message from the Council by Mr. Rees, a member:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the Council has laid on the table House bill entitled

An act to license and tax merchants.

And has introduced into and passed a substitute of the same title.

The Council bill entitled

An act to license and tax merchants,

Was taken up, and read a first time, and,

On motion by Mr. McGee,

The rule was suspended, and the bill read a second time, and,

On motion by Mr. Waterson,

Referred to the committee on finance.

On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
A committee of conference, consisting of Messrs. Marshall, McMeekin, and Williams, were appointed to meet a similar committee on the part of the Council, to consider the House amendments to Council bill entitled
An act to provide for the election of Public Printer.

Mr. Payne offered the following concurrent resolution:

Resolved, By the House of Representatives, the Council concurring therein, that the two Houses go into joint session this evening, to reconsider their action in the election of H. Gray as one of the County Commissioners of Leavenworth county; and John T. Brady, as district attorney for the third district.
Which was read a first time, and,
On motion by Mr. Marshall,
The rule was suspended, and the resolution read a second time and agreed to.

Mr. Payne also presented the petition of various citizens of Wyandott, asking the removal of Mr. Gray.

Mr. Weddle, chairman of the committee on accounts, to whom was referred Council bill entitled
An act to appropriate money for house rent,
Reported the same back with the following amendment:
Strike out the word "two," and insert the word "one" before the word "hundred."
And as amended recommended its passage.
The report was agreed to, and,
On motion by Mr. Tebbs,
The rule was suspended, and the amendment read a second time and agreed to, and
The bill as amended read a third time and passed.

Mr. Waterson, from the select committee to whom was referred Council bill entitled
An act for the protection of married women,
Reported the same back with the following amendment:
Amend by adding—
Section 46. That every householder shall be entitled to hold, exempt from sale under execution, one hundred and sixty acres of land, of the value of one thousand dollars, or one house and lot in any town, of the value of one thousand dollars, and also personal property to the amount of five hundred dollars, except for taxes.
This act to take effect from its passage.
And as amended recommended its passage.
The report was agreed to, and,
On motion by Mr. Whitlock,
The rule was suspended, and the amendment read a second time, and agreed to, and
The bill as amended read a third time and passed,
By the following vote,
Mr. Payne having demanded the ayes and noes:

AYES—Messrs. Banks, Blair, Browne, Croysdale, Hieskell, Kirk, Mathias, McGee, McMeekin, Payne, Scott, Ward, Waterson, Whitlock, Williams, Younger, Mr. Speaker—17.

NOES—Messrs. Anderson, and Tebbs—2.

Absent—Messrs. Harris, Johnson, Marshall, Wade, Weddle, and Wilkinson—6.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the President of the Council has signed the following enrolled Council bills:

An act to permanently establish a Medical College at Lecompton.
An act to provide for the institution and support of a university in Kansas Territory.
An act to incorporate the Town Company of Iola, in the county of Doniphan, in the Territory of Kansas.
An act to establish a ferry at Whitehead, on the Missouri river.
An act concerning gaming.
An act concerning the plats of towns and villages.
An act to incorporate the Leavenworth Insurance Company.
An act fixing the time of meeting of the Legislative Assembly.
An act to incorporate the Tecumseh Town Association.
An act to incorporate the town of Fort Scott.
An act concerning depositions.
An act to incorporate the Leavenworth Jail Association.
An act to incorporate the Centerville Seminary and Town Association.
An act to establish the treasury department, and to define the duties of Treasurer and Auditor.
An act to incorporate the Kansas Mining Company.
An act supplemental to and amendatory of an act providing for the pay of the clerks of the present Legislature.
An act to incorporate the town of Washington.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the Council has passed House concurrent resolution to go into joint session, with amendment.

On motion by Mr. Marshall,
The House disagreed to Council amendment.

Mr. Hieskell, from the committee on enrolled bills, reported as truly enrolled House bills of the following titles:

An act to encourage agriculture in the Territory of Kansas.
An act to establish a territorial road from Leavenworth to Bernard's store, in the Territory of Kansas.
An act to incorporate the Richmond Town Company.

An act to establish a ferry across the Kansas river, opposite the town of Lecompton.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the Council insists on its amendment to House concurrent resolution, to go into joint session.

On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The Housr adhered to its disagreement to Council amendment.

Mr. Williams, chairman of the committee on bounds of counties and districts, to whom was referred Council bill entitled
An act in relation to Arapahoe county,
Reported the same back without amendment, and recommended its passage.
The report was agreed to, and
The bill read a third time and passed.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the House concurrent resolution, to go into joint session, has been laid on the table, and the following substitute has been passed:

Resolved, By the Council, the House of Representatives concurring therein, that the two Houses go into joint session this evening, to reconsider their action in the election of H. Gray as one of the County Commissioners of Leavenworth county.

The Council concurrent resolution was read a first time, and,
On motion by Mr. McMeekin,
The rule was suspended, and the resolution read a second time, and passed.

Pursuant to concurrent resolution, the Council, with their officers, arrived in the hall of the House.
The President of the Council took the chair, and announced the object for which the joint session had convened.
On motion by Mr. Rees, of the Council,
The vote electing H. Gray one of the County Commissioners of Leavenworth county, was reconsidered.
Mr. Eastin announced that Mr. Gray had resigned his office as County Commissioner.

Nominations being in order,
Mr. Rees, of the Council, nominated Matthew R. Walker.

Mr. McMeekin, of the House, nominated L. F. Hollingsworth.

No other nominations being made, and the roll of the two Houses having been called, there appeared:
For Mr. Walker 23 votes.
For Mr. Hollingsworth, 10 votes.
Whole number of votes cast, 33.
Necessary to a choice, 17 votes.

The members of the House of Representatives voted as follows:
For Mr. Walker—
Messrs. Anderson, Banks, Browne, Harris, Hieskell, McGee, Payne, Scott, Tebbs, Ward, Weddle, Whitlock, Williams, Younger, and Mr. Speaker—15.
For Mr. Hollingsworth—
Messrs. Blair, Kirk, Marshall, Mathias, McMeekin and Waterson—6.
Absent—Messrs. Croysdale, Johnson, Wade and Wilkinson—4.

Mr. Walker having received a majority of all the votes cast, was declared duly elected one of the County Commissioners for Leavenworth county.

Mr. Donaldson, of the Council, moved that the joint session be dissolved.

The Chair decided further business by the joint session out of order.

Mr. Speaker Stringfellow appealed from the decision of the Chair.

The question then being
Shall the Chair be sustained?
The session refused to sustain the Chair, by the following vote,
The ayes and noes being demanded:

Whole number of votes cast, 31.
Necessary to a choice, 16.
Ayes—11. Noes—20.
The members of the House of Representatives voted as follows:

AYES—Messrs. Browne, Payne, and Younger—3.
NOES—Messrs. Anderson, Banks, Blair, Harris, Hieskell, Kirk, Marshall, Mathias, McGee, McMeekin, Scott, Tebbs, Ward, Waterson, Weddle, Whitlock and Williams—17.
Absent—Messrs. Croysdale, Johnson, Wade and Wilkinson—4.
Mr. Speaker Stringfellow was excused from voting.

The question then being upon dissolving the joint session,
It was decided in the affirmative.
The joint session was then dissolved.

The Council having retired to their chamber,
The Speaker resumed the Chair.

On motion by Mr. Tebbs,
The House adjourned.

WEDNESDAY MORNING, AUGUST 29, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery, Chaplain.

The journal of yesterday was read and approved.

The roll of the House was called.

Members absent—Messrs. Banks, Browne, Croysdale, Johnson, Kirk, Marshall, McMeekin, Payne, Scott, Tebbs, Wade, and Ward—12.

The Sergeant-at-arms was ordered to bring in absent members.

On motion by Mr. Mathias,
Leave of absence was granted to Mr. McMeekin for to-day.

On motion by Mr. Anderson,
The Council bill entitled
An act to prevent illegal banking, and the circulation of depreciated paper currency,
Was taken up, read a first time, and,
The rule suspended and the bill read a second time, and
Referred to a select committee, consisting of Messrs. Anderson, Mathias and McMeekin.

Council bill entitled
An act providing the times and places of holding the United States District Court,
Was taken up and read a first time.

Mr. Hieskell, from the committee on enrolled bills, reported as truly enrolled House bill of the following title:
An act to punish offenses against slave property.

Council bill entitled
An act to fix the salary of Auditor and Treasurer,
Was taken up, read a first time, and,
On motion by Mr. Anderson,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Kirk,
The rule was again suspended, and the bill read a third time.

Mr. Tebbs offered the following amendment by way of rider:

Amend by striking out "one thousand," and inserting "fifteen hundred,"
Which was read a first time, and,
On motion by Mr. Payne,
The rule was suspended, and the amendment read a second time, and,
On motion by Mr. Anderson,

The amendment was rejected, by the following vote,
The ayes and noes having been demanded:

AYES—Messrs. Anderson, Banks, Blair, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, Payne, Scott, Wade, Ward, Waterson, Weddle, Whitlock, Williams, Younger and Mr. Speaker—19.
NOES—Messrs. Browne and Tebbs—2.
Absent—Messrs. Croysdale, McGee, and Wilkinson—3.
Absent on leave—Mr. McMeekin.
The bill then passed.

Mr. Waterson, from the select committee, to whom was referred Council bill entitled
An act prescribing the times of holding the District Courts,
Reported the same back, and recommended its rejection,
And also,
Reported a substitute of the same title,
And recommended its passage.
The report was agreed to, and
The substitute was read a first time, and,
On motion by Mr. Mathias,
The rule was suspended, and the bill read a second time, and,
On motion by Mr. Anderson,
The rule was again suspended and the bill read a third time, and passed.

The joint committee of the two Houses, to whom was referred
An act entitled an act to establish the statutes, and for other purposes,
Made the following report:

SHAWNEE MISSION, August 29, 1855.

The joint committee, to whom was referred an act entitled
An act to establish the Statutes of the Territory of Kansas, and for other purposes,
Have had the same under consideration, and propose to amend said act in the second section, by striking out the words "and the common law," and with said amendments, recommend the passage of said act.

A. McDONALD,
Chairman of Council Com.
JOS. C. ANDERSON,
Chairman of House Com.

The report was agreed to, and,
On motion by Mr. Mathias,
The rule was suspended, and the amendment read a second time, and agreed to, and,
The bill as amended, read a third time.

Mr. Kirk offered the following amendment, by way of rider:

Amend by way of rider, by striking out the first section.

On motion by Mr. Harris,
The amendment was rejected.

The bill then passed,
By the following vote,

Mr. Blair having demanded the ayes and noes :

Ayes—Messrs. Anderson, Banks, Browne, Harris, Hieskell, Johnson, Kirk, Marshall, Mathias, Scott, Tebbs, Wade, Ward, Williams, Younger and Mr. Speaker—16.
Noes—Messrs. Blair, Croysdale, Payne, Waterson, and Weddle—5.

Message from the Council by Mr. Halderman, Chief Clerk.

Mr. Speaker :

I am instructed by the Council to inform the House of Representatives that the following bill has been introduced into and passed the Council:

An act to apportion Representation in the next Legislative Assembly.
And, that
The House bill has been laid on the table, entitled
An act to regulate the practice of medicine in Kansas Territory.

Message from the Council by Mr. Halderman, Chief Clerk ;

Mr. Speaker :

I am instructed by the Council to inform the House of Representatives that the Council has disagreed to House amendment to Council bill entitled
An act for the protection of married women.

Mr. Hieskell, chairman of the committee on finance, to whom was referred Council substitute for House bill entitled
An act to tax merchants,
Reported the same back without amendment,
And recommended its passage.
The report was agreed to,
And the bill read a third time and passed.

Message from the Council by Mr. Halderman, Chief Clerk:

Mr. Speaker :

I am instructed by the Council to inform the House of Representatives that the following bill has been introduced into and passed the Council :
An act in relation to a called session of the Legislative Assembly.

Mr. Hieskell, from the committee on enrolled bills, reported as truly enrolled House bill entitled
An act regulating elections.

The Council bill entitled
An act in relation to a called session of the Legislative Assembly,
Was taken up, and read a first time, and,
On motion by Mr. Mathias,
The rule was suspended and the bill read a second time.

Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
Offered the following amendment:

Amend by striking out "at Leavenworth, or at," and insert after "government," the words "or any other point,"

Which was read a first time, and

The rule was suspended, and the amendment read a second time, and agreed to, and the bill as amended, read a third time and passed.

Mr. Marshall, from the select committee, to whom was referred House bill No. 124, entitled

An act concerning free negroes and mulattoes,

Reported the same back without amendment and recommended its passage.

The report was agreed to, and
The bill read a third time, and,
On motion by Mr. Tebbs,
The bill was laid on the table.

The Council bill entitled

An act fixing the times and places of holding the United States District Court,

Was read a second time, and,
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The bill was rejected.

The Council bill entitled

An act to apportion representatives in the next Legislative Assembly,

Was read a first time, and,
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The rule was suspended and the bill read a second time, and,
Referred to a select committee, consisting of Messrs. Browne, Marshall, Hieskell and Kirk.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed the following enrolled House bill:

An act to regulate elections.

Mr. Marshall, chairman of the select committee, to whom was referred House bill entitled

An act concerning free colored people,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and,
The bill read a third time and passed.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has disagreed to House amendment to Council bill entitled
An act to appropriate money for house rent.

On motion by Mr. Marshall,
The Council bill entitled
An act to appropriate money for house rent,
Was taken up.

Mr. Marshall moved that the House recede from its amendment,
Which was lost.

On motion by Mr. Waterson,
The House insisted on its amendment.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has disagreed to House amendment to Council bill entitled
An act in relation to a called session of the Legislative Assembly.

On motion by Mr. Speaker Stringfellow,
The Council bill just read from the Council,
Was taken up, and
On his further motion,
The House insisted on its amendment.

Mr. Hieskell, from the committee on enrolled bills, reported as truly enrolled, the following House bill:
An act to incorporate the Port William Town Company.

On motion by Mr. Browne,
The House bill entitled
An act to provide for paying the Clerks of the present Legislative Assembly,
Was taken up, and
Together with the Governor's veto message,
Referred to the committee on judiciary and criminal jurisprudence.

On motion by Mr. Marshall,
The House took a recess, subject to the call of the Speaker.

EVENING SESSION.

The House met at the call of the Speaker.

Mr. Waterson, chairman of the committee on corporations, to whom was referred Council bill entitled

An act to incorporate the Saline Gypsum Association,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and,

The bill read a third time and passed.

The rule requiring the ayes and noes having been suspended.

Mr. Weddle, chairman of the committee on accounts, made the following report:

MR. SPEAKER:

The committee of accounts beg leave to report to the House their opinion in relation to allowing the officers of this House, (who were elected or appointed previous to the adjournment from Pawnee to this place,) their pay for mileage; and would respectfully recommend that, as the officers were under the control of the House, and were forced, by a vote of the House to remove to this place, at considerable expense to them—therefore, the committee believe it nothing but right that the said officers should receive pay for mileage from Pawnee to this place, and they therefore recommended that the same be allowed them.

J. WEDDLE, *Chairman.*

The report was agreed to.

On motion by Mr. Kirk,

The Council bill entitled

An act supplemental to an act touching territorial roads,

Was taken up, and read a first time, and,

On motion by Mr. Weddle,

The bill was rejected.

On motion by Mr. Croysdale,

The House adjourned.

THURSDAY MORNING, AUGUST 30, 1855.

House met, pursuant to adjournment.

Prayer by Rev. Mr. Peery.

The journal of yesterday was read and approved.

Message from Acting Governor Woodson, by Mr. Lowry, his Private Secretary:

EXECUTIVE DEPARTMENT, Aug. 30, 1855.

To the Honorable the House of Representatives of the Territory of Kansas:

I have the honor to announce that I have signed House bills of the following titles:

An act to incorporate the town of Fort Scott.

An act to grant pre-emption to school lands in certain cases.

An act supplementary to an act entitled an act to incorporate the Atchison Town Company.

An act supplementary to an act defining the boundaries of Atchison county.

An act to permanently establish a Medical College at Lecompton.

An act to regulate elections.

An act to punish offenses against slave property.

An act to incorporate the Kansas Mining Company.

An act to provide for the institution and support of a university in Kansas Territory.

An act to incorporate the town of Washington.

An act to incorporate the Delaware Town Company,

An act entitled an act prescribing certain regulations touching territorial roads.

An act to establish a ferry.

An act to incorporate the Richmond Town Company.

An act to establish a ferry across the Kansas river opposite the town of Lecompton.

An act to encourage agriculture in the Territory of Kansas.

An act to establish a territorial road from Leavenworth, to Bernard's store, in the Territory of Kansas.

An act to more especially to define the county boundaries of the county of Atchison.

An act to prevent the firing of woods, marshes and prairies.

An act to incorporate the Mount Vernon Town Company.

An act to charter a ferry across the Missouri river at the town of Palermo.

An act to incorporate the town of Indianola.

An act to incorporate the town of Paola.

An act to authorise James Findley to establish a bridge across the Wakarusa river.

An act to incorporate the town of Douglas.

An act supplemental to an act to provide for the collection of the revenue.

An act respecting seed horses.

An act to incorporate the town of Alexandria.

An act to provide for the call of a convention to form a State Constitution.

An act to incorporate a ferry at the town of Lawrence in the Territory of Kansas.

An act to incorporate the Calhoun Town Company.

An act supplemental to an act entitled an act to establish a territorial road from opposite Boston, Mo., to a point on the California road, at or near the Half-way Grove, in the Territory of Kansas.

An act entitled an act to establish a territorial road from the Willow Spring to Douglas.

An act to provide for the punishment of offenses against the public health.

An act to incorporate the Town Company of Osawkee.

An act concerning jurors.

An act providing for the establishment of common schools.

An act to prevent obstructions across the Big Sugar Creek.

An act defining the judicial districts.

An act to incorporaae the Kansas University.

An act to confirm and make valid certain acts of the Judge of the first District Court of the Territory of Kansas.

An act for the relief of debtors.

An act to provide for the erection of public buildings at the seat of government.

An act supplemental to an act providing for the pay of the clerks of the present Legislature.

Respectfully, DANIEL WOODSON,
Acting Governor.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred Council bill entitled

An act to regulate executions,

Reported the same back with the following amendments:

Strike out section 11, and substitute,

"Property to the amount of seven hundred and fifty dollars, whether real, personal or mixed, shall be exempt from levy and sale under any execution whatsoever, except for taxes."

And as amended recommended its passage.

The report was agreed to, and,

On motion by Mr. Marshall,

The rule was supended and the amendment read a second time, and agreed to, and

The bill as amended read a third time and passed.

Mr. Mathias offered the following resolution, which was adopted:

Resolved, That the Secretary of this Territory be, and he is hereby authorized and directed to pay to N. M. Miller, of the "Frontier News," fifty dollars for printing one thousand copies of the late Governor's veto message and the memorial adopted by this House, thereto annexed, which were used by the members of this House.

Mr. Browne, chairman of the select committee, to whom was referred Council bill entitled

An act to apportion the representatives in the next Legislative Assembly,

Reported the same back with the following amendments:

After the words "the county of Atchison shall be entitled to," strike out the word "two" and insert "three."

After the words "the county of Douglass shall be entitled to," strike out the word "four" and insert "five."

And as amended recommended its passage,
The report was agreed to, and
The rule was suspended and the amendment read a second time, and agreed to, and
The bill as amended read a third time and passed.

Mr. Tebbs offered the following resolution, which was adopted:

Resolved, By the House of Representatives of Kansas Territory, That by the election of J. T. Brady, Public Printer, it was not intended that he should occupy that position beyond the present session of the Legislature, nor to confer upon him the right to publish the laws enacted by the present Legislature.

That if any doubt had existed as to the tenure of said office, the election of J. T. Brady to the office of District Attorney, being appointed and commissioned for the third judicial district of the Territory of Kansas, would be a vacation of his said position as Public Printer.

Therefore, resolved further, That the Secretary of the Territory be requested not to deliver to J. T. Brady, copies of the Territorial laws for publication.

The resolution was adopted by the following vote,
Mr. Whitlock having demanded the ayes and noes:

AYES.—Messrs. Banks, Blair, Croysdale, Kirk, Marshall, Mathias, McGee, McMeekin, Tebbs, Ward, Weddle and Mr. Speaker—12.

NOES.—Messrs. Anderson, Browne, Hieskell, Johnson, Scott, Wade, Waterson, Whitlock, Williams and Younger—10.

Absent.—Messrs. Payne and Wilkinson—2.

Absent on leave—Mr. Harris.

Message from the Council by Mr. Halderman, Chief Clerk.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that a concurrent resolution to publish all the Indian treaties with the laws of this Territory, and to furnish a certain map to the members and clerks of the present Legislature, has passed the Council.

Mr. Browne presented a memorial to the Congress of the United States, praying for a donation of lands for school purposes,
Which was read a first time, and,
On motion by Mr. McGee,
The rule was suspended and the memorial read a second time, the rule again suspended and the memorial read a third time, and passed.

The Council bill, entitled
An act explanatory of the act to fix the times of meeting of the Legislative Assembly,
Was taken up and read a first time, and,
On motion by Mr. Marshall,
The rule was suspended, and the bill read a second and third time, and passed.

Mr. Mathias, from the select committee to whom was referred

An act to prevent illegal banking and the creation of depreciated paper currency,
Reported the same back and recommended its rejection.
The report was agreed to.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the Council has passed the House bill, with amendment, entitled
An act to establish the statutes of the Territory of Kansas, and for other purposes.

The Council bill entitled
An act to prohibit the settling of free negroes and mulattoes in the Territory of Kansas,
Was read a second time, and,
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The bill was rejected.

The Council bill, entitled
An act to incorporate the Missouri and Kansas River Navigation Company,
Was read a first time, and,
On motion by Mr. Marshall,
The bill was rejected.

On motion by Mr. Mathias,
The House bill, entitled
An act to establish the statutes of the Territory of Kansas, and for other purposes,
Was taken up, and the Council amendment was read a first time, and,
On motion by Mr. McMeekin,
The House rejected the Council amendment, and insisted on the orginal bill,
By the following vote,
Mr. Mathias having demanded the ayes and noes:

AYES—Messrs. Anderson, Banks, Browne, Johnson, Kirk, Marshall, Mathias, McMeekin, Tebbs, Ward, Whitlock, Younger, and Mr. Speaker—13.
NOES—Messrs. Blair, Hieskell, Payne, Scott, Waterson, and Weddle—6.
Absent—Messrs. Croysdale, McGee, Wade, Williams and Wilkinson—5.
Absent on leave—Mr. Harris.

Message from the Council by Mr. Halderman, Chief Clerk.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has refused to concur in House amendment to Council bill entitled
An act to appropriate money for house rent.

The Council concurrent resolution in regard to the printing of Indian treaties, in connection with the laws of the Territory, and furnishing a certain map to the members and officers of the House;
Was taken up, read a first time, and,
On motion,
The resolution was rejected.

Mr. Hieskell, from the committee on enrolled bills, reported as truly enrolled House bill entitled
An act to incorporate the Marysville Town Company.

Message from the Council, by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the Council has amended House amendment to Council bill entitled
An act to regulate executions.

The bill was taken up, and
The Council amendment to House amendment,
Was read a first time, and
On motion by Mr. Anderson,
The rule was suspended, and the amendment read a second time.

Mr. Waterson offered the following amendment:

Amend by striking out "three," and inserting "five."
The amendment was read a first time, and,
The rule was suspended, and the amendment read a second time, and agreed to.

Message from the Council, by Mr. Halderman, Chief Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the Council insists on its disagreement to House amendment, to Council bill entitled
An act to appropriate money for house rent.

The bill was taken up, and,
On motion by Mr. Marshall,
Laid over for the present.

On motion by Mr. Croysdale,
The House adjourned until 2 o'clock this evening.

EVENING SESSION.

The House met, pursuant to adjournment.

Mr. Mathias offered the following resolution :

Resolved, By the House of Representatives, (the Council concurring therein,) that the Secretary of this Territory, be, and he is hereby authorized and directed to pay to R. L. Ream, thirty dollars for a map which he furnished to the Legislative assembly of the Territory of Kansas,
Which was read a first time.

Mr. McMeekin offered the following amedment :

Strike out "thirty," and insert "ten,"
Which was read a first time and agreed to, and
The resolution as amended, read a second time and passed.

Mr. Hieskell, from the committee on enrolled bills, reported as truly en-
An act to declare the Big Blue river a navigable stream and public highway.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has agreed to House amendment to Council bill entitled
An act in relation to a called session of the Legislative Assembly,
And,
The Council insists on its amendment to House amendment, to Council bill entitled
An act to regulate executions,
And that the Council has appointed Messrs. Strickler, Richardson and Grover, as a committee of conference to meet a similar committee of the House, to consider the bill.

The Speaker appointed Messrs. Williams, McMeekin, Waterson, Kirk and Anderson, as House committee.

Mr. Mathias, chairman of the committee on judiciary and criminal jurisprudence, to whom was referred House bill entitled
An act to provide for the pay of the Clerks of the Legislative Assembly, together with the Governor's veto message,
Reported the same back without taking any action upon them.

Mr. Anderson, on leave, introduced a bill entitled
An act to incorporate the Kansas, Nebraska and Utah Stage Company,
Which was read a first time, and
The rule was suspended, and the bill read a second and third time, and passed by the following vote,
The ayes and noes being required:

AYES—Messrs. Anderson, Banks, Blair, Croysdale, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, Scott, Ward, Waterson, Weddle, Williams, Younger and Mr. Speaker—17.

NOES—Messrs. Browne and McMeekin—17.
Absent—Messrs. Payne, Tebbs, Wade, Whitlock and Wilkinson—5.
Absent on leave—Mr. Harris.

Mr. Marshall presented the following communication from Mr. J. C. Thompson:

To the Honorable House of Representatives of Kansas Territory:

GENTLEMEN—

For certain reasons which will preclude the possibility of my serving in that capacity, I must respectfully beg leave to decline the office of Probate Judge of Nemaha County. Permit me, however, to tender you my sincere thanks for the honor you were pleased to bestow upon me.

Most respectfully, your humble servant,
J. C. THOMPSON.

Mr. Marshall offered the following concurrent resolution:

Resolved, By the House of Representatives, the Council concurring therein, that the two Houses meet in joint session this evening to elect a Probate Judge in the county of Nemaha, to fill the vacancy occasioned by the resignation or declining to accept the same by J. C. Thompson,

Which was read a first time, and,
On motion by Mr. Mathias,
The rule was suspended, and the resolution read a second time, and agreed to.

On motion by Mr. Anderson,
The Council bill entitled
An act to appropriate money for house rent,
Was taken up, and,
A committee of conference be appointed, consisting of Messrs. McMeekin, Tebbs and McGee, to meet a similar committee on the part of the Council, to consider the bill.

Message from the Council by Mr. Rees, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed House bill entitled
An act to incorporate the Kansas, Nebraska, and Utah Stage Company, with amendment.

The bill was taken up, and,
On motion by Mr. Williams,
The rule was suspended, and the amendment read a second and third time, and agreed to.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the President of the Council has signed the following enrolled House bill:

An act to incorporate the Kansas, Nebraska and Utah Stage Company.

Mr. Mathias, on leave, introduced a bill entitled

An act providing for the printing and publishing of the laws of the Territory of Kansas,

Which was read a first time, and,

On motion by Mr. Weddle,

The rule was suspended, and the bill read a second and third time, and passed.

Message from the Council by Mr. Halderman, Chief Clerk.

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives, that the Council has passed Council bill entitled

An act to exempt certain property from sale under execution.

The bill just read from the Council was taken up, and read a first time, and,

On motion by Mr. Weddle,

The rule was suspended, and the bill read a second and third time, and passed.

Mr. Williams, chairman of the committee of conference, to whom was referred Council bill entitled

An act in relation to executions,

Reported the same back without amendment, and recommended its passage.

The report was agreed to, and the House receded from its amendment to the bill.

Mr. Anderson offered the following resolution, which was adopted:

Resolved, That the Council be informed that the House of Representatives is through with their business, and ready to adjourn *sixe die.*

Message from the Council by Mr. Halderman, Clerk Clerk:

Mr. Speaker:

I am instructed by the Council to inform the House of Representatives that the Council has passed concurrent resolution to go into joint session.

Mr. Marshall offered the following concurrent resolution:

Be it resolved, By the House of Representatives, the Council concurring therein, that the Governor of the Territory of Kansas be and he is hereby instructed to call upon the General Government, or the proper department, for the military arms heretofore appropriated by the Congress of the United States for the use of this Territory; and that the Governor of this Territory be instructed to memorialize the Congress of the United States for an appropriation of one thousand rifles, suitable for mounted riflemen, together with the patent right to the Minie ball for the use of the military of this Territory.

Which was read a first time, and,
On motion by Mr. Marshall,
The rule was suspended, and the resolution read a second time and agreed to.

Pursuant to concurrent resolution, the Council, with their officers, arrived in the hall of the House.
The President of the Council took the chair, and announced the object for which the joint session had convened.
On motion,
The declension of Mr. Thompson as Probate Judge of Nemaha County was accepted.
Nominations being in order,
Mr. Grover, of the Council, nominated George H. Perrin.
No other nominations being made, and the roll of the two Houses having been called, there appeared:
For Mr. Perrin, 33 votes.
Whole number of votes cast, 33.
Necessary to a choice, 17 votes.

The members of the House of Representatives voted as follows:

For Mr. Perrin—
Messrs. Anderson, Banks, Blair, Browne, Croysdale, Hieskell, Johnson, Kirk, Marshall, Mathias, McGee, McMeekin, Payne, Scott, Tebbs, Ward, Waterson, Weddle, Williams, Younger and Mr Speaker—21.
Absent—Messrs. Wade, Whitlock, and Wilkinson—3.
Absent on leave—Mr. Harris.

Mr. Perrin, having received a majority of all the votes cast, was declared duly elected Probate Judge of Nemaha county.

On motion by Mr. Donaldson, of the Council,
The joint session was dissolved.

The Council having retired to their chamber,
The Speaker resumed the chair.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representative, that the President of the Council has signed the following Council enrolled bills:

An act concerning dower.
An act relating to insane persons.
An act to regulate practice at law.
An act to incorporate the Leavenworth and Lecompton Railroad Company.
An act to license and tax merchants.
An act to incorporate the Leavenworth, Pawnee, and Western Railroad Company.
An act concerning patrols.
An act concerning bills of exchange and negotiable promissory notes.

An act attaching certain territory to the county of Madison.
An act to incorporate the Agricultural Society.
An act concerning costs.
An act to incorporate the Saline Gypsum Association.
An act regulating practice in the supreme court.
An act to incorporate the Historical Society of Kansas Territory.

Mr. Marshall offered the following resolution, which was adopted:

Be it resolved, That the Superintendent of Public Printing be, and he is hereby instructed, to superintend the printing of sundry laws, as directed by a joint resolution of the two Houses, directing the printing of three hundred copies of each of the following bills: a bill defining the boundaries of counties, the election law, and a supplemental bill to the revenue law.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled Council bills of the following titles:

An act to incorporate the Alexandria Coal Mining Company.
Joint resolution about publishing forms.
An act to incorporate the Whitehead Town Company.
An act to declare a road leading from Fort Scott to the Missouri State line, at or near Phillips' crossing of the Upper Drywood creek, a territorial road.
An act defining the meaning of certain words.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has disagreed to House amendment to Council bill entitled An act apportioning Representatives in the next Legislative Assembly.

On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The bill just read from the Council was taken up.
Mr. Speaker Stringfellow (Mr. Anderson in the chair) moved to insist on House amendment.
Mr. Speaker Stringfellow moved a call of the House.
Mr. Waterson objected.
The Speaker decided in favor of a call of the House.
Mr. Waterson appealed from the decision of the Chair.
Mr. Speaker Strinfellow (Mr. Anderson in the chair) called for the ayes and noes:

AYES—Messrs. Browne, Kirk, Mathias, McGee, Payne, Tebbs, Ward, Weddle, Williams, Younger, Mr. Speaker—11.
NOES—Messrs. Blair, Hieskell, Johnson, Scott, Waterson—5.

Absent—Messrs. Banks, Croysdale, Marshall, McMeekin, Wade, Whitlock, Wilkinson—7.
Absent on leave—Mr. Harris.
Excused from voting—Mr. Anderson.

So the Chair was sustained.

On motion by Mr. Browne,
The bill was referred to a committee of conference, consisting of Messrs. Browne, Williams, and Kirk, on the part of the House.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed the following concurrent resolution:
Concurrent resolution in regard to paying R. L. Ream the sum of ten dollars for the use of a map.
Also,
Concurrent resolution requesting the Governor of the Territory to call on the general government for the arms appropriated by act of Congress for this Territory, and asking the Governor to memorialize Congress for an appropriation of one thousand rifles, and for other purposes.

The Council bill entitled
An act to print the laws,
Was taken up, and read a first time.
On motion by Mr. Williams,
The rule was suspended and the bill read a second time.

Mr. Speaker Stringfellow offered the following amendment:
Strike out all between the enacting clause and the last clause, and insert:
"That the Superintendent of Public Printing be authorized to have five hundred copies of the laws passed by this Legislative Assembly printed for the Territory, anything to the contrary notwithstanding."
Which was read a first time, and
The rule was supended and the amendment read a second time, and agreed to.
Mr. Anderson offered as an amendment, that "500" be stricken out, and "1500" inserted.
Which was read a first time, the rule suspended, and the amendment read a second time, and,
On motion by Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
The bill was laid on the table.

Message from Acting Governor Woodson, by Mr. Lowry, his Private Secretary:

EXECUTIVE DEPARTMENT, Aug. 30, 1855.

To the Honorable the House of Representatives of the Territory of Kansas:

I have the honor to announce that I have signed House bills of the following titles:

An act to incorporate the Kansas, Nebraska, and Utah Stage Company.
An act to incorporate the Marysville Town Company.
An act to incorporate the Port William Town Company.
An act to incorporate the Louisiana Town Company.

Respectfully, DANIEL WOODSON,
Acting Governor.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the President of the Council has signed the following Council enrolled bills:

An act providing for the pay of the chief clerks and assistant clerks of the Council and House of Representatives.
An act to incorporate the Town Company of Iola.
An act concerning the plats of towns and villages.
An act concerning gaming.
An act to establish a ferry at Whitehead, on the Missouri river.
An act to incorporate the Leavenworth Insurance Company.
An act fixing the time of meeting of the Legislative Assembly.
An act to incorporate the Tecumseh Town Association.
An act to incorporate the Centerville Seminary and Town Association.
An act to establish the treasury department, and to define the duties of Treasurer and Auditor.
An act to incorporate the Leavenworth Jail Association.
An act concerning depositions.
An act to incorporate the town of Washington.
An act supplemental to and amendatory of an act providing for the pay of the clerks of the present Legislature.

Message from the Council, by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the President of the Council has signed enrolled House bills entitled

An act to prevent certain trespasses.
An act regulating writs and process.

An act for the regulation and management of the Territorial Library.

Mr. Anderson moved that the vote be reconsidered on Council bill entitled
An act to provide for printing the laws,
Which was lost by the following vote,
Mr. Anderson having demanded the ayes and noes:

AYES—Messrs. Anderson, Hieskell, Johnson, Payne, Waterson, Weddle, Williams, and Younger—8.

NOES—Messrs. Banks, Blair, Browne, Kirk, Mathias, Scott, Ward, and Mr. Speaker—8.

Absent—Messrs. Croysdale, McGee, Marshall, McMeekin, Tebbs, Wade, Whitlock and Wilkinson—8.
Absent on leave—Mr. Harris.

On motion by Mr. Williams,
The House adjourned subject to the call of the Speaker.

The House met at the call of the Speaker.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has concurred in House amendment to Council bill entitled
An act to apportion representation in the next Legislative Assembly, with amendment.

Tne Council bill was taken up, and the Council amendment read a first time, the rule was suspended, and the amendment read a second and third and passed.

The House then adjourned, subject to the call of the Speaker.

NIGHT SESSSION.

The House met at the call of the Speaker.

Message from the Council by Mr. Rees, a member:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives that the Council has passed a bill entitled
An act explanatory of an act to organize the Treasury Department.

The Council bill was taken up, and read a first time,
The rule suspended and the bill read a second and third time, and passed.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the Council has appointed Messrs. Strickler, McDonald and Grover, as Council committee of conference to meet a similar committee of the House in relation to Council bill, entitled
An act to appropriate money for House rent.

The Council bill was taken up.
Mr. Anderson moved that the vote, appointing a committee of conference upon said bill, be reconsidered,
Which was agreed to.

On motion by Mr. Anderson,
A motion to appoint a committee of conference
Was laid on the table.
On motion by Mr. Browne,
The House receded from its amendment.
The bill then passed.

Mr. Speaker Stringfellow,
Mr. Anderson in the chair,
Offered the following concurrent resolution:

WHEREAS, The signs of the times indicate that a measure is now on foot, fraught with more danger to the interest of the Pro-Slavery party and to the Union, than any which has yet been agitated, to wit: The proposition to organize a *National* Democratic party, and,
WHEREAS, Some of our friends have already been misled by it, and,
WHEREAS, The result will be to divide Pro-Slavery whigs from democrats, thus weakening our party one-half, and,
WHEREAS, We believe that on the success of our party depends the perpetuity of the Union; Therefore,
Be it resolved, By the House of Representatives, the Council concurring therein, that it is the duty of the Pro-Slavery party, the Union loving men of Kansas Territory, to know but one issue, slavery, and that any party making or attempting to make any other is and should be held as an ally of abolitionism and disunionism.

Which was read a first time, and
The rule suspended and the resolution read a second time, and agreed to.

Message from the Council by Mr. Grover, Assistant Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the Council has passed a bill entitled
An act supplemental to an act fixing the times and places of holding the first terms of the first district court.

The bill was taken up, and read a first time, and,
On motion by Mr. Mathias,
The bill was rejected.

Mr. Mathias offered the following resolution, which was adopted:

Resolved, That the Secretary of this Territory be, and he is hereby authorized and directed to pay to B. F. Simmons twenty-five dollars for furnishing the several acts in relation to the Territory of Kansas, which were printed as an appendix to the organic act, organizing the Territories of Nebraska and Kansas.

Message from the Council by Mr. Halderman, Chief Clerk:

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the Council has passed House concurrent resolution, denouncing the national democratic movement.

Also,

That the Council has passed the following concurrent resolution:

Be it resolved, By the Council, the House of Representatives concurring therein, that Wm. G. Mathias, David Lykins, D.J. Johnson, John A. Halderman, D. A. N. Grover, L. J. Eastin and Joseph C. Anderson, be authorized to open books for subscription for the Washington National Monument, and that they be, and are hereby requested to frame an address to the people of Kansas Territory, touching the importance of a suitable contribution from this Territory as a tribute of lasting gratitude to the Father of his Country.

The Council concurrent resolution was taken up, read a first time, and
The rule suspended and the resolution read a second time, and
Agreed to, by the following vote,
The ayes and noes having been demanded:

AYES—Messrs. Anderson, Banks, Browne, Croysdale, Johnson, Kirk, Mathias, McGee, Payne, Scott, Ward, Waterson, Weddle, Williams, Younger and Mr. Speaker—16.

Absent—Messrs. Blair, Hieskell, Marshall, McMeekin, Tebbs, Wade, Whitlock and Wilkinson—8.

Absent on leave—Mr. Harris.

Mr. Mathias offered the following resolution, which was adopted:

Resolved, That the thanks of the House of Representatives are hereby tendered to the Speaker, Speaker *pro tem.* Chief Clerk, 1st and 2nd Assistant Clerks, Sergeant-at Arms, Door-keeper, Chaplain, and Enrolling and Engrossing Clerks, for the prompt and faithful discharge of their respective duties.

Mr. Anderson offered the following resolution which was adopted:

Resolved, That the special thanks of this House is due Benj. F. Simmons, Enrolling Clerk, for his uncommon industry and fidelity while engaged in the discharge of that laborious office.

Mr. Browne offered the following resolution, which was adopted:

Resolved, That the thanks of this House are hereby tendered to Hon. John H. Stringfellow, Speaker of the House of Representatives, and Joseph C. Anderson, Speaker *pro tem.* for their efficient services and gentlemanly deportment, in the discharge of their official duties.

Message from the Council, by Mr. Halderman, Chief Clerk.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives, that the Council has passed the following resolution:

Resolved, That the House of Representatives be now informed that the Council has completed all the business before them, and are ready to adjourn *sine die*.

On motion by Mr. Mathias,
The House adjourned *sine die*.

JOHN H. STRINGFELLOW,
Speaker of the House of Representatives.

Attest,

JAMES M. LYLE,
Chief Clerk of the House of Representatives.